



# ADA Self-Evaluation and Transition Plan

REPORT

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## Abbreviations

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ADA - Americans with Disabilities Act

CFR - Code of Federal Regulations

CIP - Capital Improvement Projects

DOJ - United States Department of Justice

EITA – Electronic and Information Technology Accessibility

FHWA - Federal Highway Administration

MUTCD - Manual on Uniform Traffic Control Devices

PROWAG - Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way

PSA – Program, Services, and Activities

WAVE – Web Accessibility Evaluation Tool

## 1.0 Introduction

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### 1.1 Legislative Mandate

The Americans with Disabilities Act (ADA) is a civil rights law that mandates equal opportunity for individuals with disabilities. The ADA prohibits discrimination in access to jobs, public accommodations, government services, public transportation, and telecommunications. Title II of the ADA also requires that all programs, services, and activities (PSAs) of public entities provide equal access for individuals with disabilities.

The City of Lakeland has undertaken a comprehensive evaluation of its PSAs to determine the extent that individuals with disabilities may be restricted in their access.

### 1.2 ADA Self-Evaluation and Transition Plan Development Requirements and Process

The City of Lakeland is obligated to observe all requirements of Title I in its employment practices; Title II in its policies, programs, and services; any parts of Titles IV and V that apply to the City and its programs, services, or facilities; and all requirements specified in the 2010 ADA Standards and 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) that apply to facilities and other physical holdings.

Title II has the broadest impact on the City. Included in Title II are administrative requirements for all government entities employing more than 50 people. These administrative requirements are:

- Completion of a Self-Evaluation;
- Development of an ADA complaint procedure;
- Designation of at least one (1) person who is responsible for overseeing Title II compliance; and
- Development of a Transition Plan to schedule the removal of the barriers uncovered by the Self-Evaluation process. The Transition Plan will become a working document until all barriers have been addressed.

This document describes the process developed to complete the evaluation of the City of Lakeland's PSAs and facilities, provides possible solutions to remove programmatic barriers, and presents a Transition Plan for the modification of facilities and public rights-of way to improve accessibility, which will guide the planning and implementation of necessary program and facility modifications over the next 30 years. The ADA Self-Evaluation and Transition Plan is significant in that it establishes the City's ongoing commitment to the development and maintenance of PSAs and facilities that accommodate all its citizenry.

### 1.3 Discrimination and Accessibility

Program accessibility means that, when viewed in its entirety, each program is readily accessible to and usable by individuals with disabilities. Program accessibility is necessary not only for individuals with mobility needs, but also to individuals with sensory and cognitive disabilities.

Accessibility applies to all aspects of a program or service, including but not limited to physical access, advertisement, orientation, eligibility, participation, testing or evaluation, provision of auxiliary aids, transportation, policies, and communication.

The following are examples of elements that should be evaluated for barriers to accessibility:

### 1.3.1 Physical Barriers

- Parking
- Path of travel to, throughout, and between buildings and amenities
- Doors
- Service counters
- Restrooms
- Drinking fountains
- Public telephones
- Path of travel along sidewalk corridors within the public rights-of-way
- Access to pedestrian equipment at signalized intersections

### 1.3.2 Programmatic Barriers

- Building signage
- Customer communication and interaction
- Non-compliant sidewalks or curb ramps
- Emergency notifications, alarms, and visible signals
- Participation opportunities for City sponsored events

### 1.3.3 Ongoing Accessibility Improvements

City PSAs and facilities evaluated during the Self-Evaluation will continue to be evaluated on an ongoing basis, and the ADA Transition Plan will be revised to account for changes that have been or will be completed since the initial Self-Evaluation. This Plan will be posted on the City's website for review and consideration by the public.

### 1.3.4 City of Lakeland Approach

The purpose of the Transition Plan is to provide the framework for achieving equal access to the City of Lakeland's programs, services, and activities within a reasonable timeframe. The City's elected officials and staff believe that accommodating persons with disabilities is essential to good customer service, ensures the quality of life Lakeland residents seek to enjoy, and guides future improvements. This Plan has been prepared after careful study of all the City's programs, services, activities, and City facilities.

The City of Lakeland should make reasonable modifications in PSAs when the modifications are necessary to avoid discrimination based on disability, unless the City can demonstrate that making the modifications will fundamentally alter the nature of the program, service, or activity. The City of Lakeland will not place surcharges on individuals with disabilities to cover the cost involved in making PSAs accessible.

## 2.0 Public Outreach

### 2.1 Web Survey

In addition to the physical evaluation, the City also developed a web survey open to the public. The survey was designed to help the City locate areas of greatest concern to the public and help provide better access to the community. The survey was active from 10/24/2019 – 11/15/2019 via the following link:

[https://www.surveymonkey.com/r/Lakeland\\_ADA](https://www.surveymonkey.com/r/Lakeland_ADA)

The survey was posted on the City's Facebook page on October 24, 2019. The survey was also posted on the City website, Next Door and the Lakeland Current Events Facebook page. Hard copies of the surveys were available at City Hall and the Senior Center. An example of the Facebook page post is shown below.





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## 3.0 Self-Evaluation and Summary of Findings

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The City of Lakeland's Americans with Disabilities Act (ADA) Transition Plan reflects the results of a comprehensive review of the programs, services, and activities provided to employees and the public. The review identifies programmatic barriers to individuals with disabilities interested in accessing the programs, services, and activities offered by the City.

### 3.1 Programs, Procedures, and Policies Review

Under the ADA, the City of Lakeland is required to complete a Self-Evaluation of the City's facilities, programs, services, and activities. The Self-Evaluation identifies and provides possible solutions to all programs, services, and activities that are inconsistent with Title II requirements. To be compliant, the Self-Evaluation should consider all the City's programs, services, and activities, as well as the policies and practices the City uses to implement its various programs and services.

To comply with requirements of the plan, the City must take corrective measures to achieve program accessibility through several methods, including, but not limited to:

- (1) Relocation of programs to accessible facilities;
- (2) Modifications to existing programs so they are offered in an accessible manner;
- (3) Structural methods such as altering an existing facility;
- (4) Policy modifications to ensure nondiscrimination; and
- (5) Auxiliary aids provided to produce effective communication.

When choosing a method of providing program access, the City should attempt to give priority to the method that promotes inclusion among all users, including individuals with disabilities.

Programs, services, and activities offered by the City to the public must be accessible. Accessibility applies to all aspects of a program, services, or activity, including advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

However, the City does not have to take any action that will result in a fundamental alteration in the nature of a program or activity, create a hazardous condition for other people, or result in an undue financial and/or administrative burden. This determination can only be made by the ADA/504 Coordinator and/or an authorized designee of the City, such as the City Manager designee and must be accompanied by a written statement detailing the reasons for reaching the determination.

The determination of undue burden must be based on an evaluation of all resources available for use. If a barrier removal action is judged unduly burdensome, the City must consider all other options for providing access that will ensure that individuals with disabilities receive the benefits and services of the program or activity. This process must be fully documented.

### 3.1.1 Interactive Survey Process

The interactive survey process was conducted following the review of the City's website. Program, services, and activities surveys were submitted to each City department. The surveys were tailored to the PSAs offered by each department and used to finalize the determination of ADA compliance for each department's PSA. The responses were reviewed and possible solutions for issues identified have been integrated throughout the ADA Transition Plan. See **Appendix B** for copies of the completed Departmental Survey and Interview Findings Summaries in their entirety.

#### Survey of All Departments: Common Self-Evaluation Findings

- Some Department contacts are aware that ADA obligations exist. However, they were not aware of the specific requirements.
- Most Department contacts were unaware if the City has a City-wide ADA grievance policy and procedure.
- Some Department staff were not aware of who the ADA/504 Coordinator is for the City and their contact information.
- Department contacts were not aware that the City does not have a process on how to obtain alternate formats of City documents or the types of formats available.
- Department contacts are not aware of the City's Public Notice Under the ADA.
- ADA specific training is not a common practice throughout the City.
- An ADA Liaison Committee has been established, ADA-specific training shall be conducted to ensure all Liaisons are aware of their roles and responsibilities under the ADA.
- Department contacts were unaware of policies and procedures or guidelines in place regarding ADA compliant purchasing and procurement.
- Department contacts indicated they do not use ADA checklists to ensure ADA compliance.
- Department contacts were unaware of a consistent City-wide non-discrimination statement that is required to be included in all information distributed by the City.

#### Survey of All Departments: Common Possible Solutions

The possible solutions associated with each of the departmental surveys and interviews have been incorporated into **Sections 3.1.1 – 3.1.22** of this document, as applicable for all City programs, policies, and procedures.

### 3.1.2 Department-Specific Information

During the interactive survey process, a discussion of additional programmatic elements found during the research and evaluation process for each department is included in the following section.

#### ***Administration Department***

##### Administration Department Self-Evaluation Findings

- Department staff has not attended ADA-specific training to ensure ADA accessibility within City programs, services, and activities.
- No information regarding an alternate format request policy, procedure, and form was found on the City's website or in City provided documents.
- The Department does not have a consistent City-wide non-discrimination statement.
- The City does not offer closed captioning for audio and video and does not have guidance in place to ensure accessibility.
- The Department does not have a policy and procedure or guidelines in place to assist individuals with disabilities.
- The City does not have a disclaimer statement or policy to communicate the City's perspective on ADA compliance regarding content on another entity's site, links, forms, documents, and videos that are represented on the City's website.
- The City does not have a City-wide ADA grievance policy, procedure, and form with appeals process for Section 508 of the Rehabilitation Act.
- The City does not have guidelines regarding website ADA accessibility.
- The City Manager does not consistently review City policies and procedures for ADA compliance before execution.

##### Administration Department Possible Solutions

- Department staff should attend annual ADA-specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.10 Employment Practices Review**.

Administration Department Possible Solutions (cont.)

- The City should develop an alternate format policy and procedure for providing access to existing public records. See **Section 3.1.17 Alternate Format Policy, Procedure, and Request Form**.
- The City should develop a City-wide Non-Discrimination Statement Policy. See **Section 3.1.14 Non-Discrimination Language**.
- The City should develop guidelines to assist staff in providing closed captioning or transcripts for audio and video recordings that are available to all employees and the public. These guidelines shall include the process to add closed captioning or use the vendor database to purchase closed captioning or transcription services. See **Section 3.1.16 Effective Communication Guidance**.
- The Department should develop a policy and procedure or guidelines to assist individuals with disabilities. The ADA National Network provides guidance here: <https://adata.org/factsheet/quicktips-customer-service>
- The City should develop a disclaimer statement to communicate the City's perspective on ADA compliance regarding content on another entity's site, links, forms, documents, videos, or podcasts that are represented on the City's website. See **Section 3.1.19 Responsibility / Acceptance Disclaimer for Other Entities' Links, Forms, Documents, and Videos**.
- The City should develop a City-wide ADA grievance policy, procedure, and form with appeals process for Section 508 of the Rehabilitation Act. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA**.
- The City should develop guidelines regarding website ADA accessibility. The U.S. Department of Justice has guidance here: <https://www.ada.gov/pcatoolkit/chap5toolkit.htm>
- The City Manager should consistently review City policies and procedures for ADA compliance before execution.

**City Attorney's Office**

City Attorney's Office: Self-Evaluation Findings

- The Office staff has not attended ADA-specific training to ensure ADA accessibility within City programs, services, and activities.

City Attorney's Office: Self-Evaluation Findings

- Office staff should attend annual ADA-specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.10 Employment Practices Review**.

## ***Construction Department***

### Construction Department Self-Evaluation Findings

- Department staff has not attended ADA-specific training to ensure ADA accessibility within City programs, services, and activities.
- Department staff does not use specific checklists regarding ADA compliance or include the ADA/504 Coordinator in the inspection process.
- The City has not formally adopted the Proposed Guidelines for Pedestrian Facilities in the Public Rights-of-Way (PROWAG).

### Construction Department Possible Solutions

- Department staff should attend annual ADA-specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.10 Employment Practices Review**.
- The Department should develop and use specific ADA checklists or guidance to ensure ADA compliance. These checklists or guidance should include information regarding the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Rights-of-Way (PROWAG). In addition, the Department should include the ADA/504 Coordinator within the inspections process. While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities, and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.
- While the PROWAG has not yet been finalized, it is recommended that the City formally adopt PROWAG as a City standard practice and also develop ADA-specific guidance about PROWAG. This guidance should be used Department-wide and throughout the City, as needed. While City adoption of PROWAG is not specifically an ADA requirement, it is strongly recommended to ensure ADA compliance. The U.S. Access Board provides information on the proposed rule-making and guidelines here: <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way>.

## ***Emergency Management Department***

### Emergency Management Department Self-Evaluation Findings

- See **Section 3.1.12 Emergency Management Plan Review**.

### Emergency Management Department Possible Solutions

- See **Section 3.1.12 Emergency Management Plan Review**.

## ***Engineering / Public Works Department***

### Engineering / Public Works Department Self-Evaluation Findings

- Department staff has attended limited training regarding the ADA.
- Department staff does not use specific checklists regarding ADA compliance.
- The City has not formally adopted the Proposed Guidelines for Pedestrian Facilities in the Public Rights-of-Way (PROWAG).
- The Department does not use ADA-specific guidance when designing projects or reviewing plans with accessible elements.
- The City does not have ADA-specific requirements for design consultants.

### Engineering / Public Works Department Possible Solutions

- Department staff should attend annual ADA-specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.10 Employment Practices Review**.
- The Department should develop and use specific ADA checklists or guidance to ensure ADA compliance. These checklists or guidance should include information regarding the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Rights-of-Way (PROWAG). While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities, and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.
- While the PROWAG has not yet been finalized, it is recommended that the City formally adopt PROWAG as a City standard practice and also develop ADA-specific guidance about PROWAG. This guidance should be used Department-wide and throughout the City, as needed. While City adoption of PROWAG is not specifically an ADA requirement, it is strongly recommended to ensure ADA compliance. The U.S. Access Board provides information on the proposed rule-making and guidelines here: <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way>.
- The City should develop ADA-specific requirements for design consultants to follow when working on a project that includes ADA elements. These requirements should include training on PROWAG requirements and City expectations. While this is not an ADA-specific requirement, this is recommended to ensure that consultants take responsibility and are designing ADA elements within the City in ADA compliance.

## ***Finance Department***

### Finance Department Self-Evaluation Findings

- Department staff has not attended ADA-specific training to ensure ADA accessibility within City programs, services, and activities.
- The Department does not use a procurement policy and procedure or guidance that reviews information and technology purchases for ADA compliance before purchase.
- The Department does not have guidance on reviewing purchasing contracts and agreements for ADA language.
- The City does not have an alternate format policy and procedure for providing access to Department documents.

### Finance Department Possible Solutions

- Department staff should attend annual ADA-specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.10 Employment Practices Review**.
- The Department should develop a procurement policy and procedure or guidelines for City staff to use that reviews information and technology purchases for ADA compliance before purchase. While this policy and procedure is not a specific ADA requirement, it is recommended the City develop this policy and procedure to combine with information and technology policies and procedures to ensure ADA compliance with Section 508 of the Rehabilitation Act. See **Section 3.1.5 ADA Grievance Policy, Procedure and Form with Appeals Process for the ADA**.
- The Department should develop and use guidance to review purchasing contracts and agreements for ADA language that clarifies the City's obligations and responsibilities under the ADA. See **Section 3.1.14 Non-Discrimination Language**.
- The City should develop an alternate format policy and procedure for providing access to Department documents. See **Section 3.1.17 Alternate Format Policy, Procedure, and Request Form**.

## ***Human Resources Department***

### Human Resources: Self-Evaluation Findings

- The Department does not have a specific ADA grievance policy, procedure, and form with appeals process for Title I provided in the employee manual.
- The Department does not have a City-wide reasonable accommodation/modification policy, procedure, and form provided in the employee manual.
- The Department does not maintain logs regarding ADA complaints and requests for accommodations/modifications.



Human Resources: Self-Evaluation Findings (cont.)

- The Department does not have a policy and procedure or guidance regarding service animals as a reasonable accommodation or modification to City programs, services, and activities.
- The Department does not have a consistent City-wide non-discrimination statement
- The City does not have an alternate format policy and procedure for providing access to Department documents.
- The Department does not have policies and procedures or guidance regarding ADA compliant effective communication efforts.
- The Department does not provide new employee orientation upon hire. Therefore, new employees are not provided ADA-specific training, information regarding their rights and obligations under the ADA, or contact information for the City's ADA/504 Coordinator for Title I or Title II.
- The Department does not provide annual ADA-specific training to ensure ADA accessibility within City programs, services, and activities.
- The Department does not provide volunteer orientation. Therefore, volunteers are not provided with a volunteer manual, are not introduced to the ADA/504 Coordinator(s) and are not provided specific information regarding their rights and obligations under the ADA.

Human Resources: Possible Solutions

- The Department should update the City's employee manual to include the ADA grievance policy, procedure, and form with appeals process for Title I as drafted as a part of this transition plan process. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA**.
- The Department should update the City's employee manual to include a City-wide reasonable accommodation/modification policy, procedure, and form. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- The Department should develop and maintain logs regarding ADA complaints and requests for accommodations/modifications that include an internal complaint number, details about the complaint, and details regarding the resolution. See **Section 3.1.20 Previous ADA Complaints Review (Title I / Title II)**.
- The Department should develop a policy and procedure or guidance regarding service animals as a reasonable accommodation or modification to City programs, services, and activities. See **Section 3.1.7 Service Animal Guidance**.
- The City should develop a City-wide Non-Discrimination Statement Policy. See **Section 3.1.14 Non-Discrimination Language**.
- The City should develop an alternate format policy and procedure for providing access to Department documents. See **Section 3.1.17 Alternate Format Policy, Procedure, and Request Form**.

Human Resources: Possible Solutions (cont.)

- The Department should develop policies and procedures or guidance regarding ADA compliant effective communication efforts. See **Section 3.1.16 Effective Communication Guidance**.
- The Department should provide new employee orientation and integrate ADA-specific training. This training should include information regarding employee's rights and obligations under the ADA and information regarding the ADA/504 Coordinator. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. This training would guide employees regarding their rights under the ADA, as well as the tools needed to ensure ADA compliance. The new employee orientation program should also include policies and procedure developed from this Transition Plan process within the City of Lakeland Personnel Policy Manual. See **Section 3.1.10 Employment Practices Review**.
- The Department - in conjunction with City's ADA/504 Coordinators for Title I and Title II - should administer annual ADA-specific training to ensure ADA accessibility within City programs, services, and activities, including website accessibility. This training should include policies and procedures developed from this transition plan process for Title I and Title II, employee rights and obligations regarding employment-related training, and website accessibility guidelines. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.10 Employment Practices Review**.
- The Human Resources Department should provide volunteer orientation and develop guidelines for each department to utilize to ensure program consistency for ADA compliance of volunteer programs. These guidelines should include a review of volunteer manuals, volunteer applications, volunteer's ADA rights and obligations, introduction to the Title I and Title II ADA/504 Coordinators, and City functions. See **Section 3.1.10 Employment Practices Review**.
- The Human Resources Department should develop a City-wide volunteer/reserve specific manual. Each Department should develop inserts for their department to be incorporated into the volunteer/reserve manual. These inserts should include all specific physical and mental eligibility requirements to ensure that volunteers/reserves can disqualify themselves from the program, if needed, and include volunteer/reserve job descriptions. See **Section 3.1.10 Employment Practices Review**.

***Municipal Court***

Municipal Court Self-Evaluation Findings

- Shelby County handles all Municipal Court proceedings regarding criminal cases, and no information was provided for review. The City does handle municipal court proceedings for zoning and code compliance issues
- No information was found regarding the following:
  - Employment Practices;
  - Emergency Management Plan;
  - ADA/504 Coordinator information (Title I / Title II);
  - Roles and Responsibilities of the ADA/504 Coordinator;
  - ADA grievance policy, procedure, and form with appeals process for the ADA (Title I / Title II);
  - ADA grievance policy, procedure, and form with appeals process for Section 508 of the Rehabilitation Act

- ADA complaint and request logs;

#### Municipal Court Self-Evaluation Findings (cont.)

- Reasonable accommodation and modification request policy, procedure, and form;
- Service animal guidance;
- Non-discrimination language;
- Title II ADA/504 ADA Assurance;
- Public Notice of the ADA;
- Effective communication efforts and policy;
- Alternate format policy, procedure, and request form;
- Policies and procedures for ADA transition plan updates and corrections (Title I / Title II);
- Responsibility/acceptance disclaimer for other entities' links, forms, documents, and videos;
- Maintenance policy and procedure;
- Out-of-order policy and procedure;
- Special event guidance;
- Training program.

#### Municipal Court Possible Solutions

- Court personnel are part of the Human Resources Department. The Department should defer to the City's adopted policies and procedures from this transition plan process for the following:
  - Employment Practices. See **Section 3.1.10 Employment Practices Review.**
  - 4 Coordinator information (Title I / Title II). See **Section 3.1.3 ADA/504 Coordinator(s) (Title I / Title II).**
  - Roles and Responsibilities of the ADA/504 Coordinator. See **Section 3.1.4 Roles and Responsibilities of the ADA/504 Coordinator(s).**
  - ADA grievance policy, procedure, and form with appeals process for the ADA (Title I / Title II). See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA.**
  - ADA grievance policy, procedure, and form with appeals process for Section 508 of the Rehabilitation Act. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA.**
  - ADA complaint and request logs.
  - Reasonable accommodation and modification request policy, procedure, and form. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form.**
  - Service animal guidance. See **Section 3.1.7 Service Animal Guidance.**
  - Non-discrimination language. See **Section 3.1.14 Non-Discrimination Language.**
  - Title II ADA/504 ADA Assurance. See **Section 3.1.15 Title II ADA//504 ADA Assurances.**
  - Public Notice of the ADA. See **Section 3.1.8 Public Notice Under the ADA.**
  - Effective communication efforts and policy. See **Section 3.1.16 Effective Communication Guidance.**
  - Alternate format policy, procedure, and request form. See **Section 3.1.17 Alternate Format Policy, Procedure, and Request Form.**
  - Policies and procedures for ADA transition plan updates and corrections (Title I / Title II). See **Section 3.1.18 Policies and Procedures for ADA Transition Plan Updates and Corrections.**
  - Responsibility/acceptance disclaimer for other entities' links, forms, documents, and videos. See **Section 3.1.19 Responsibility/Acceptance Disclaimer for other Entities' Links, Forms, Documents, and Videos.**
  - Maintenance policy and procedure.
  - Out-of-order policy and procedure.

Municipal Court Possible Solutions (cont.)

- Training program. See **Section 3.1.10 Employment Practices Review**.

***Parks and Recreation Department***

Parks and Recreation Department Self-Evaluation Findings

- The Department defers to the City for ADA grievances for Title I and Title II.
- The Department defers to the City for reasonable accommodation/modification policy, procedure, or form.
- The City does not have an alternate format policy and procedure for providing access to existing Department documents.
- The Department does not have guidance in place to assist staff in making modifications to a program, service, or activity offered by the Department.
- The Department does not maintain logs regarding ADA complaints and requests for accommodations/modifications.
- The Department does not have guidelines in place to address ADA compliance at special events.
- The Department does not include ADA-specific language in Department contracts, agreements, or waivers.

Parks and Recreation Department Possible Solutions

- For the Department's ADA grievance policy, procedure, and form with appeals process for Title I and Title II. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA**.
- For the Department's reasonable accommodation policy, procedure, and form for Title I and Title II. See **Section 3.1.6 Reasonable Accommodation and Modification Policy, Procedure, and Request Form**.
- The City should develop an alternate format policy and procedure for providing access to Department documents. See **Section 3.1.17 Alternate Format Policy, Procedure, and Request Form**.
- The Department should develop and use specific ADA checklists or guidance to ensure ADA compliance. These checklists or guidance should include information regarding the Americans with Disabilities Act Accessibility Guidelines (ADAAG). While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.
- The Department should develop and maintain logs regarding ADA complaints and requests for accommodations/modifications that include an internal complaint number, details about the complaint, and details regarding the resolution.

### Parks and Recreation Department Possible Solutions (cont.)

- The Department should develop ADA-specific guidelines for special events. While the development of these guidelines is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities. These guidelines will provide guidance to employees and provide the tools needed to ensure ADA compliance. The Mid-Atlantic ADA Center provides guidance here: <https://www.adainfo.org/content/access-events-article>
- The Department should develop and use guidance to include language within Department contracts and agreements that clarify the City's obligations and responsibilities under the ADA. See **Section 3.1.14 Non-Discrimination Language**.

### The City of Lakeland Parks Maintenance Manual: Self-Evaluation Findings

- The City of Lakeland Parks Maintenance Manual was reviewed:
  - Pages 4 - 5 provides a parking inventory with details regarding park amenities. However, ADA park amenities are not specifically mentioned.
  - Pages 6- 7 provides City signs templates. However, no signs are provided regarding the ADA, such as ADA accessible parking.
  - Page 8 provides specific tasks regarding maintenance for City Hall in accordance with the seasons. This section does mention salting walkways for the winter season, trimming low hanging or dead limbs year-round; blowing off parking lots, walkways, and pavilions year-round, monitoring playgrounds, playground surfaces, and multi-use fields for hazards year-round. However, this guidance does not mention maintaining ADA-specific accessible elements and pathways in an accessible manner. (e.g., sidewalks, curb ramps, etc.)
  - Page 9 provides an inspection checklist for City Hall and park grounds.
    - The checklist does not mention overhanging encroachments, maintaining pedestrian paths in an accessible condition, and ensuring that all pedestrian paths are clear of barriers.
    - The checklists for playground equipment does not mention maintaining the equipment in an accessible condition and ensuring that all pedestrian paths are clear of barriers.
    - The checklist for the athletic field does not mention maintaining the fields in an accessible condition and ensuring that all pedestrian paths are clear of barriers.
  - Page 10 provides specific tasks regarding maintenance for IH Park with the seasons. This section does mention salting walkways for the winter season, trimming low hanging or dead limbs year-round; blowing off parking lots, walkways, and pavilions year-round, monitoring playgrounds, playground surfaces, and multi-use fields for hazards year-round. However, this guidance does not mention maintaining ADA-specific accessible elements and pathways in an accessible manner. (e.g., sidewalks, curb ramps, etc.)
  - Page 11 provides an inspection checklist for IH Park.
    - The checklist does not mention overhanging encroachments, maintaining pedestrian paths in an accessible condition, and ensuring that all pedestrian paths are clear of barriers.
    - The checklists for playground equipment does not mention maintaining the equipment in an accessible condition and ensuring that all pedestrian paths are clear of barriers.
    - The checklist for the athletic field does not mention maintaining the fields in an accessible condition and ensuring that all pedestrian paths are clear of barriers.
  - Pages 12, 13, 15, 17, and 19 provide an inspection checklist for various parks.
    - The checklist does not mention maintaining the pedestrian paths accessible condition and ensuring that all pedestrian paths are clear of barriers.

The City of Lakeland Parks Maintenance Manual: Self-Evaluation Findings (cont.)

- Pages 11, 14, 16, 18, 20, 22, 23, and 24 provide specific tasks regarding maintenance for various parks with the seasons. This section does not mention maintaining various parks in an accessible condition and ensuring that all pedestrian paths are clear of barriers.
- Pages 25, 26, 27, and 29 provide specific tasks regarding maintenance playground general maintenance, park routine inspection and maintenance issues, lakes and ponds. This section does not mention maintaining facilities in an accessible condition and ensuring that all pedestrian paths are clear of barriers.
- This manual does not include a specific policy and procedure or guidance for out-of-order ADA elements.
- This manual does not include a specific policy and procedure or guidance for maintenance of ADA elements, such as pedestrian pathways.

The City of Lakeland Parks Maintenance Manual: Possible Solutions

- The City of Lakeland Parks Maintenance Manual should be revised as follows:
  - Pages 4 - 5 should be revised to include ADA-specific details regarding ADA park amenities.
  - Pages 6- 7 should be revised to include ADA specifications regarding sign compliance, as well as provide signage for ADA accessible parking.
  - Page 8 should be revised to include ADA-specific details regarding maintaining accessible elements and pathways in an accessible manner such as sidewalks and curb ramps.
  - Page 9 should be revised as follows:
    - The checklist should be revised to include ADA-specific details regarding overhanging encroachments, maintaining pedestrian paths in an accessible condition, and ensuring that all pedestrian paths are clear of barriers.
    - The checklist should be revised to include ADA-specific details regarding maintaining playground equipment in an accessible condition and ensuring that all pedestrian paths are clear of barriers.
    - The checklist should be revised to include ADA-specific details regarding maintaining athletic fields in an accessible condition and ensuring that all pedestrian paths are clear of barriers.
  - Page 10 should be revised to include ADA-specific details regarding maintaining accessible elements and pathways in an accessible manner such as sidewalks and curb ramps.
  - Page 11 should be revised as follows:
    - The checklist should be revised to include ADA-specific details regarding overhanging encroachments, maintaining pedestrian paths in an accessible condition, and ensuring that all pedestrian paths are clear of barriers.
    - The checklist should be revised to include ADA-specific details regarding maintaining playground equipment in an accessible condition and ensuring that all pedestrian paths are clear of barriers.
    - The checklist should be revised to include ADA-specific details regarding maintaining athletic fields in an accessible condition and ensuring that all pedestrian paths are clear of barriers.
  - Pages 12, 13, 15, 17, and 19 should be revised to include ADA-specific details regarding maintaining accessible elements and pathways in an accessible manner such as sidewalks and curb ramps.
  - Pages 11, 14, 16, 18, 20, 22, 23, and 24 should be revised to include ADA-specific details regarding maintaining various parks in an accessible condition and ensuring that all pedestrian paths are clear of barriers.
  - Pages 25, 26, 27, and 29 should be revised to include ADA-specific details regarding maintaining facilities in an accessible condition and ensuring that all pedestrian paths are clear of barriers.



The City of Lakeland Parks Maintenance Manual: Possible Solutions (cont.)

- The Department should develop and incorporate in the manual an out-of-order policy and procedure or guidelines to assist City staff in ensuring that ADA elements are repaired and in working condition in a timely manner. While the development of this policy and procedure or guidance is not a specific ADA requirement, as a Title II entity, the City is obligated to ensure all ADA elements are in working order and are readily accessible. This policy and procedure or guidelines will provide guidance to employees and the tools needed to ensure ADA compliance.
- The Department should develop and incorporate in the manual a maintenance policy and procedure or guidelines to assist City staff in maintaining ADA elements in ADA compliance. While the development of this policy and procedure or guidance is not a specific ADA requirement, as a Title II entity, the City is obligated to ensure all ADA elements are maintained in an accessible manner and are readily accessible. This policy and procedure or guidelines will provide guidance to employees and the tools needed to ensure ADA compliance.

***Planning Department***

Planning Department Self-Evaluation Findings

- Department staff has not attended ADA-specific training regularly to ensure ADA accessibility within City programs, services, and activities.
- Department staff does not use specific checklists regarding ADA compliance.

Planning Department Possible Solutions

- Department staff should attend annual ADA-specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.10 Employment Practices Review**.
- The Department should develop and use specific ADA checklists or guidance to ensure ADA compliance. These checklists or guidance should include information regarding the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Rights-of-Way (PROWAG). While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities, and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.

***Stormwater Management Program***

Stormwater Management Program: Self-Evaluation Findings

- Program staff has not attended ADA-specific training on a regular basis to ensure ADA accessibility within City programs, services, and activities.
- The City has not formally adopted the Proposed Guidelines for Pedestrian Facilities in the Public Rights-of-Way (PROWAG).

#### Stormwater Management Program: Self-Evaluation Findings (cont.)

- The City does not have an alternate format policy and procedure for providing access to existing Program documents.

#### Stormwater Management Program: Possible Solutions

- Program staff should attend annual ADA-specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.10 Employment Practices Review**.
- While the PROWAG has not yet been finalized, it is recommended that the City formally adopt PROWAG as a City standard practice and also develop ADA-specific guidance about PROWAG. This guidance should be used Department-wide and throughout the City, as needed. While City adoption of PROWAG is not specifically an ADA requirement, it is strongly recommended to ensure ADA compliance. The U.S. Access Board provides information on the proposed rule-making and guidelines here: <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way>.
- The City should develop an alternate format policy and procedure for providing access to Program documents. See **Section 3.1.17 Alternate Format Policy, Procedure, and Request Form**.

### ***Water, Sewer, and Trash Department***

#### Water, Sewer, and Trash Department: Self-Evaluation Findings

- Department staff has not attended ADA-specific training on a regular basis to ensure ADA accessibility within City programs, services, and activities.
- The Department is unable to use the Tennessee Relay Service.
- Department staff does not use specific checklists regarding ADA compliance.

#### Water, Sewer, and Trash Department: Possible Solutions

- Department staff should attend annual ADA-specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.10 Employment Practices Review**.
- The City should utilize the Tennessee Relay Service (7-1-1) City-wide. This service is a free service that connects individuals who are deaf, deaf-blind, hard-of-hearing, or have a speech disability with users of standard telephones. This service is available 24 hours a day, 365 days a year.



Water, Sewer, and Trash Department Possible Solutions (cont.)

- The Department should develop and use specific ADA checklists or guidance to ensure ADA compliance. These checklists or guidance should include information regarding the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Rights-of-Way (PROWAG). While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.

### 3.1.3 ADA/504 Coordinator (Title I / Title II)

Under the ADA Title II, when a public entity has 50 or more employees based on an entity-wide employee total count, the entity is required to designate at least one (1) qualified responsible employee to coordinate compliance with ADA requirements. The name, office address, and telephone number of this individual must be available and advertised to employees and the public. This allows for someone to assist with questions and concerns regarding disability discrimination to be easily identified.

ADA/504 Coordinator: Self-Evaluation Findings

The City of Lakeland has appointed Kyle Wright as ADA/504 Coordinator for Title I and Emily Harrell as the ADA/504 Coordinator for Title II. Below is their contact information. However, this information is not consistently published on the City's website or in other City documents:

Title I:

Michael Walker, ADA/504 Coordinator  
10001 Hwy 70  
Lakeland, TN 38002  
Phone: 901-867-2719  
Tennessee Relay: 7-1-1  
[mwalker@lakelandtn.org](mailto:mwalker@lakelandtn.org)

Title II:

Emily Harrell, ADA/504 Coordinator  
10001 Hwy 70  
Lakeland, TN 38002  
Phone: 901-867-5418  
Tennessee Relay: 7-1-1  
[eharrell@lakelandtn.org](mailto:eharrell@lakelandtn.org)

ADA/504 Coordinator: Possible Solutions

The ADA/504 Coordinator(s) information should be prominently displayed in common areas that are accessible to all employees and areas open to the public. Also, the ADA/504 Coordinator(s) contact information must be included in all information that is distributed by the City. This includes posting this information on the website.

### 3.1.4 Roles and Responsibilities of the ADA/504 Coordinator(s)

Below is a list of qualifications for ADA/504 Coordinator(s) that are recommended by U.S. Department of Justice:

- Familiarity with the entity's structures, activities, and employees;
- Knowledge of the ADA and other laws addressing the rights of people with disabilities, such as Section 504 of the Rehabilitation Act;
- Experience with people with a broad range of disabilities;
- Knowledge of various alternative formats and alternative technologies that enable individuals with disabilities to communicate, participate, and perform tasks;
- Ability to work cooperatively with local entities and people with disabilities;
- Familiarity with any local disability advocacy groups or other disability groups;
- Skills and training in negotiation and mediation; and
- Organizational and analytical skills.

#### Roles and Responsibilities of the ADA/504 Coordinator(s): Self-Evaluation Findings

- No information regarding the roles and responsibilities of the ADA/504 Coordinator(s) is provided on the City's website or in City documents.

#### Roles and Responsibilities of the ADA/504 Coordinator(s): Possible Solutions

- The City should document the roles and responsibilities of the ADA/504 Coordinator(s). See **Appendix C** for a copy of the Roles and Responsibilities for the ADA/504 Coordinator(s) as drafted as a part of this transition plan process.

### 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA

#### ***Title I***

Title I of the ADA prohibits private employers, state and local governments, employment agencies, and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The ADA covers employers with 15 or more employees based on an entity-wide employee total count, including state and local governments.

The purpose of the ADA grievance procedure is to provide a mechanism for the resolution of discrimination issues at the City level, rather than require the complainant to resort to resolution at the federal level.

#### ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA (Title I): Self-Evaluation Findings

- No information regarding an ADA grievance policy, procedure, and form with appeals process for the ADA (Title I) was found.
- The City does not maintain logs regarding ADA complaints and requests for accommodations or modifications.

Grievance Policy, Procedure, and Form with Appeals Process for the ADA (Title I): Possible Solutions

- An ADA grievance policy, procedure, and form with appeals process for Title I was drafted as part of this transition plan process. These documents should be adopted City-wide, posted on the City's website, and publicized in common areas that are accessible to all employees and areas open to the public. See **Appendix C** for a copy of the ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA (Title I).
- The City should maintain an ADA complaint log. This log shall be confidential and should include an internal complaint number, details about the complaint, and specifics regarding the resolution.

***Title II***

Local governments with 50 or more employees are required to adopt and publish procedures for resolving grievances in a prompt and fair manner that may arise under Title II of the ADA.

ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA (Title II): Self-Evaluation Findings

- No information regarding an ADA grievance policy, procedure, and form with appeals process for the ADA (Title II) was found.
- The City does not maintain logs regarding ADA complaints and requests for accommodations or modifications.

ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA (Title II): Possible Solutions

- An ADA grievance policy, procedure, and form with appeals process for Title II should be developed for the City. These documents should be consistent and adopted City-wide, posted on the City's website, and publicized in common areas that are accessible to all employees and areas open to the public. The U.S. Department of Justice (DOJ) provides guidance here: <https://www.ada.gov/pca/toolkit/chap2toolkit.htm>.
- The City should maintain an ADA complaint log. This log shall be confidential and should include an internal complaint number, details about the complaint, and specifics regarding the resolution.

***Section 508 of the Rehabilitation Act***

Section 508 of the Rehabilitation Act of 1973 requires that all electronic and information technologies developed and used by any federal government agency must be accessible to individuals with disabilities. This includes websites, video and audiotapes, electronic books, televised programs, and other such media. Individuals with disabilities may still have to use special hardware and/or software to access the resources. This law pertains to the federal government. However, each state can adopt these regulations for state use. The State of Tennessee has not officially adopted these technology requirements. However, the City of Lakeland should utilize the State's stance on website and other digital media policies and procedures. The State of Tennessee Electronic and Information Technology (EIT) accessibility statement can be found here: <https://www.tn.gov/web-policies/accessibility.html>

ADA Grievance Policy, Procedure, and Form with Appeals Process for Section 508 of the Rehabilitation Act: Self-Evaluation Findings

- No information was found regarding the City's Section 508 of the Rehabilitation Act policy, procedure, and form with appeals process.

ADA Grievance Policy, Procedure, and Form with Appeals Process for Section 508 of the Rehabilitation Act Self-Evaluation Findings (cont.)

- The City does not maintain logs regarding ADA complaints and requests for accommodations or modifications.

ADA Grievance Policy, Procedure, and Form with Appeals Process for Section 508 of the Rehabilitation Act Possible Solutions

- An ADA grievance policy, procedure, and form with appeals process for Section 508 of the Rehabilitation Act was drafted as part of this transition plan process. These documents should be adopted City-wide, posted on the City's website, and publicized in common areas that are accessible to all employees and areas open to the public. See **Appendix C** for a copy of the ADA Grievance Policy, Procedure, and Form with Appeals Process for Section 508 of the Rehabilitation Act.
- The City should maintain an ADA complaint log. This log shall be confidential and should include an internal complaint number, details about the complaint, and details regarding the resolution.

### 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form

#### ***Title I***

The reasonable accommodation request process plays a very important role when ensuring that the City of Lakeland does not discriminate based on a disability. A reasonable accommodation is any modification to a job, the work environment, or the way things are usually done that allows an individual with a disability to apply for a job, perform job functions, or enjoy equal access to benefits available to other individuals in the workplace.

Reasonable Accommodation Request Policy, Procedure, and Request Form (Title I): Self-Evaluation Findings

- No reasonable accommodation request policy, procedure, and request form are provided on the City's website or in City documents.
- The City does not maintain logs regarding ADA complaints and requests for accommodations or modifications.

Reasonable Accommodation Request Policy, Procedure, and Request Form (Title I): Possible Solutions

- A reasonable accommodation request policy, procedure, and form was drafted as part of this transition plan process. These documents should be adopted City-wide, posted on the City's website, and publicized in common areas that are accessible to all employees and areas open to the public. See **Appendix C** for a copy of the Reasonable Accommodation Request Policy, Procedure, and Request Form (Title I).
- The City should maintain an ADA request log. This log shall be confidential and should include an internal complaint number, details about the complaint, and specifics regarding the resolution.

## ***Title II***

The reasonable modification request process allows an individual from the public to request a modification that will provide equal access to any City program, service, and/or activity. A public entity must reasonably modify its policies, practices, or procedures to avoid discrimination unless the modification will fundamentally alter the nature of its program, services, or activity.

### Reasonable Modification Request Policy, Procedure, and Request Form (Title II): Self-Evaluation Findings

- No reasonable modification request policy, procedure, and request form is provided on the City's website or in City documents.
- The City does not maintain logs regarding ADA complaints and requests for accommodations or modifications.

### Reasonable Modification Request Policy, Procedure, and Request Form (Title II): Possible Solutions

- A reasonable modification request policy, procedure, and form was drafted as a part of this transition plan process. These documents should be adopted City-wide, posted on the City's website, and publicized in common areas that are accessible to all employees and areas open to the public. See **Appendix C** for a copy of the Reasonable Modification Request Policy, Procedure, and Request Form (Title II).
- The City should maintain an ADA request log. This log shall be confidential and should include an internal complaint number, details about the complaint, and specifics regarding the resolution.

## **3.1.7 Service Animal Guidance**

A reasonable accommodation is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. A reasonable accommodation also includes any modification or adjustment to a provided program, service, or activity that the entity provides to ensure accessibility for the public. A reasonable accommodation may also include the use of a service animal. Service animals are used for a variety of reasons, so each accommodation request and modification may be different.

### Service Animal Guidance: Self-Evaluation Findings

- No information was found regarding service animal guidance for requests for reasonable accommodations or modifications from qualified applicants, employees, or the public.

### Service Animal Guidance: Possible Solutions

- Service animal guidance was drafted as a part of this transition plan process for staff to reference when dealing with service animals as reasonable accommodations or modifications for applicants, employees, and the public. Each City Department should integrate this guidance into their Department-specific standard operating procedures. In doing so, this policy and procedure should be customized to fit each Department's situations and provide guidance as to when a service animal is an effective reasonable accommodation or modification. See **Appendix C** for a copy of the Service Animal Guidance.

### 3.1.8 Public Notice Under the ADA

The ADA public notice requirement applies to all state and local governments covered by Title II, including entities with fewer than 50 employees. The target audience for the public notice includes applicants, beneficiaries, and other people interested in the entities' PSAs. This notice is required to include information regarding Title II of the ADA and how it applies to the PSAs of the public entity. Publishing and publicizing the ADA notice is not a one-time requirement. State and local government entities should provide the information on an ongoing basis, whenever necessary.

#### Public Notice Under the ADA: Self-Evaluation Findings

- This notice appears to comply with the U.S. Department of Justice guidance. However, this notice is not labeled as the Public Notice under the ADA, and the ADA Coordinator title is not what is recommended.

#### Public Notice Under the ADA: Possible Solutions

- The City's public notice shall be revised to include a title of Public Notice Under the ADA, and the title of the "ADA Coordinator" should be revised to be "ADA/504 Coordinator". This ensures that the citizens know that the Coordinator is responsible for the ADA including Section 504 of the Rehabilitation Act.

### 3.1.9 ADA Liaison Committee

The ADA Liaison Committee is comprised of representatives from each City department. These individuals work closely with the ADA/504 Coordinator to resolve issues regarding the needs of their department and the programs under their management. The ADA/504 Coordinator works closely with the ADA Liaison Committee to coordinate the implementation of plans, programs, policies, and procedures.

#### ADA Liaison Committee: Self-Evaluation Findings

- The City of Lakeland has established an ADA Liaison Committee and is comprised of various representatives but not from each City department.

#### ADA Liaison Committee: Possible Solutions

- The City's ADA Liaison Committee should be comprised of a representative from each City department and should meet periodically to ensure that the City is practicing good faith efforts to achieve ADA compliance. The Committee representatives should be tasked with serving as the ADA contact for their department and will consult with the ADA/504 Coordinators regarding all ADA issues impacting their department. Each representative is responsible for keeping a detailed log for all ADA inquiries within their department. This log shall be shared with the ADA/504 Coordinator and shall be retained for at least three (3) years.
- The ADA Liaison Committee information should be publicized in common areas that are accessible to employees and areas open to the public. This includes posting this information on the City website.

### 3.1.10 Employment Practices Review

All public entities must ensure that no qualified individual with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity, including employment. Public entities must provide an equal opportunity for employment.

The City of Lakeland Employee Handbook, employment forms, and documents were reviewed, and additional information was obtained from the survey and interview process. This information was reviewed for consistency with current accessibility requirements and standards.

#### City of Lakeland Employee Handbook: Self-Evaluation Findings

- Page 1, Employee Handbook Acknowledgement Form:
  - This form does not include a consistent City-wide non-discrimination statement
- Page 2, Introductory Statement
  - This section does not include a consistent City-wide non-discrimination statement
- Page 5, Equal Employment Opportunity (EEO):
  - This section states that it is each employee's responsibility to notify their immediate supervisor or the City Manager promptly of any alleged discrimination. However, it does not specifically reference an ADA Grievance Policy, Procedure, and Form for Title I.
- Page 6, Americans with Disabilities Act (ADA):
  - This section does include information regarding non-discrimination. However, this information is not considered a consistent City-wide non-discrimination statement
  - This section states that the City does not discriminate but does not provide information on an ADA Grievance Policy, Procedure, and Form for Title I.
  - This section does mention reasonable accommodations for employees, applicants, and anyone who wishes to make a request should contact the City Manager. No information is provided referencing a reasonable accommodation request policy, procedure or form or the ADA/504 Coordinator.
  - This section does reference other sections of the manual for additional information such as Equal Employment Opportunity (EEO) policy, Harassment-Free Workplace, Anti-Retaliation, and any other applicable policies. No other ADA policies and procedures are referenced.
- Page 8, Genetic Information Nondiscrimination Act (GINA):
  - This section does reference other sections of the manual for additional information such as Equal Employment Opportunity (EEO) policy, Harassment-Free Workplace, and Anti-Retaliation. No other ADA policies and procedures are referenced.
- Page 9, Job Postings:
  - This section states that each job posting notice will include an overview of relevant information, such as the job title, essential duties, and minimum qualifications. However, these are not all of the recommended headings that are recommended. (Job Title, Job Summary, Essential Functions, Non-Essential Functions and Job Specifications including education, physical and mental demands and working conditions)



City of Lakeland Employee Handbook: Self-Evaluation Findings (cont.)

- Page 11, Hiring Process:
  - This section does have a type of non-discrimination statement, but it is not considered a consistent City-wide non-discrimination statement.
  - This section provides a general overview of the hiring process used in the selection of the external candidates for regular full-time positions. The overview includes descriptions for Job Advertisements; Applications and Other Employment-Related Documents; Interviews; Reference and Background Check; Pre-Employment Substance Abuse and Other Testing, and Pre-Employment Physical Examinations.
    - The Interviews Section does not provide guidance for equal opportunity and does not reference the reasonable accommodation request policy and procedure.
    - The Pre-Employment Substance Abuse and Other Testing Section states that testing may be required (physical ability and/or written). However, there is no guidance to ensure ADA accessibility.
  - This section does reference other sections of the manual for additional information such as Equal Employment Opportunity (EEO) policy, Immigration Law, and Americans with Disabilities Act (ADA). No other ADA policies and procedures are referenced.
- Page 16, Job Descriptions:
  - There is no guidance provided regarding required language and maintenance of job descriptions.
- Page 24, Problem Resolution Process:
  - This section mentions discrimination. However, this is not considered an ADA grievance policy and procedure for Title I.
- Page 29, Sick Leave Benefits:
  - This section states that if an employee's absenteeism is excessive, disciplinary or other actions may be taken, including termination of employment. Decisions will be made on a case-by-case basis, depending on the specific factors involved. Reasonable accommodations will be made in compliance with the Americans with Disabilities Act (ADA), as appropriate. This statement mentions reasonable accommodations, but it does not reference the Reasonable Accommodation Request Policy, Procedure, and Form.
- Page 33 Unpaid Leave of Absence
  - This section states that in the event that a request for leave is based on an Americans with Disabilities Act (ADA) accommodation, the leave will be handled in compliance with the law. For additional information, see applicable policies that include Americans with Disabilities Act (ADA). This section does not reference the Reasonable Accommodation Request Policy, Procedure, and Form.
- Page 44 Harassment-Free Workplace
  - This section mentions discrimination based on a disability. However, this is not considered an ADA-specific grievance policy and procedure, nor does it reference an ADA-specific policy and procedure.
- Page 46 Internet, E-mail and Social Media Use
  - This section does provide guidance on the use of the internet, email or social media for personal use. However, this guidance does not include information regarding ADA compliance or the City's social media policy.
- Page 51 Use of Telephones and Recording Devices
  - This section does not reference a reasonable accommodation request policy, procedure, and form.



City of Lakeland Employee Handbook: Self-Evaluation Findings (cont.)

- Page 60 Personal Appearance
  - This section does not mention a reasonable accommodation request policy, procedure, and form.
- Page 62 Anti-Retaliation
  - This section does not mention coercion.

City of Lakeland Employee Handbook: Possible Solutions

- Page 1, Employee Handbook Acknowledgement Form:
  - This form should be revised to include a consistent City-wide non-discrimination statement. See **Section 3.1.14 Non-Discrimination Language**.
- Page 2, Introductory Statement
  - This section should be revised to include a consistent City-wide non-discrimination statement. See **Section 3.1.14 Non-Discrimination Language**.
- Page 5, Equal Employment Opportunity (EEO):
  - This section should be revised to reference the City's ADA Grievance Policy, Procedure and Form for Title I. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA**.
- Page 6, Americans with Disabilities Act (ADA):
  - This section should be revised to include a consistent City-wide non-discrimination statement. See **Section 3.1.14 Non-Discrimination Language**.
  - This section should be revised to reference the City's ADA Grievance Policy, Procedure and Form for Title I. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA**.
  - This section should be revised to reference the City's reasonable accommodation policy, procedure, and request form and to include information regarding the City's ADA/504 Coordinator(s). See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form** and **Section 3.1.3 ADA/504 Coordinator(s) (Title I / Title II)**.
  - This section should be revised to include ADA-specific policies and procedures drafted from this transition plan process.
- Page 8, Genetic Information Nondiscrimination Act (GINA):
  - This section should be revised to include ADA-specific policies and procedures drafted from this transition plan process.
- Page 9, Job Postings:
  - This section should be revised to include recommended headings such as: Job Title, Job Summary, Essential Functions, Non-Essential Functions and Job Specifications including education, physical and mental demands and working conditions. The U.S. Equal Employment Opportunity Commission provides guidance here: <https://www.eeoc.gov/facts/ada17.html>

City of Lakeland Employee Handbook: Possible Solutions (cont.)

- Page 11, Hiring Process:
  - This section provides a general overview of the hiring process used in the selection of the external candidates for regular full-time positions. The overview includes descriptions for Job Advertisements; Applications and Other Employment-Related Documents; Interviews; Reference and Background Check; Pre-Employment Substance Abuse and Other Testing; and Pre-Employment Physical Examinations.
    - This section should be revised to include a consistent City-wide non-discrimination statement. See **Section 3.1.14 Non-Discrimination Language**.
    - The Interviews section should be revised to include guidance for equal opportunity and the reasonable accommodation policy, procedure, and request form. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
    - The Pre-Employment Substance Abuse and Other Testing Section should be revised to include guidance regarding testing (physical ability and/or written) to ensure ADA accessibility. The U.S. Equal Employment Opportunity Commission provides guidance here: <https://www.eeoc.gov/facts/jobapplicant.html>
    - This section should be revised to include ADA-specific policies and procedures drafted from this transition plan process.
- Page 16, Job Descriptions:
  - This section should be revised to include recommended language for ADA compliant job descriptions such as: Job Title, Job Summary, Essential Functions, Non-Essential Functions and Job Specifications including education, physical and mental demands and working conditions. The U.S. Equal Employment Opportunity Commission provides guidance here: <https://www.eeoc.gov/facts/ada17.html>
- Page 24, Problem Resolution Process:
  - This section should be revised to reference the City's ADA Grievance Policy, Procedure and Form for Title I. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA**.
- Page 29, Sick Leave Benefits:
  - This section states that in the event that an employee's absenteeism is excessive, disciplinary or other actions may be taken, including termination of employment. Decisions will be made on a case-by-case basis, depending on the specific factors involved. Reasonable accommodations will be made in compliance with the Americans with Disabilities Act (ADA), as appropriate. This statement mentions reasonable accommodations, but it does not reference the Reasonable Accommodation Request Policy, Procedure and Form.
- Page 33 Unpaid Leave of Absence
  - This section should be revised to reference the City's reasonable accommodation policy, procedure and request form. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- Page 44 Harassment-Free Workplace
  - This section should be revised to reference the City's ADA Grievance Policy, Procedure and Form for Title I. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA**.

City of Lakeland Employee Handbook: Possible Solutions (cont.)

- Page 46 Internet, E-mail and Social Media Use
  - This section should be revised to include information regarding the City's social media policy. The City should develop a social media policy and procedure. This policy and procedure should provide guidelines for City staff to use and ensure ADA accessibility in all City social media applications. The policy and procedure should provide the following information:
    - An accessibility statement that states that all City-managed social media sites meet the City's web accessibility policy. This statement should also provide a link to the City adopted web accessibility policy under Section 508 of the Rehabilitation Act;
    - Alternate ways to contact the City;
    - Ensure that all posted images, videos, and audio files include the link back to the web page that contains the image, video or audio with full caption or transcript;
    - Avoid acronyms, abbreviations, and text shortcuts;
    - Ensure platforms provides keyboard shortcuts for keyboard-only users;
    - If the post is linking to a pdf document, ensure that the pdf is accessible; and
    - For blogs, ensure proper HTML markup is used such as headings, paragraphs, and lists to help orient users and ensure clarity of content.

While a social media platform policy and procedure is not a specific ADA requirement, it is strongly recommended that the City develop this policy and procedure to combine with information and technology policies and procedures to ensure ADA compliance with Section 508 of the Rehabilitation Act. Digital Gov provides a Federal Social Media Accessibility Toolkit here: <https://digital.gov/resources/federal-social-media-accessibility-toolkit-hackpad/>
- Page 51 Use of Telephones and Recording Devices
  - This section should be revised to reference the City's reasonable accommodation policy, procedure and request form. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form.**
- Page 60 Personal Appearance
  - This section should be revised to reference the City's reasonable accommodation policy, procedure and request form. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form.**
- Page 62 Anti-Retaliation
  - This section should be revised to include coercion. See **Section 3.1.10 Employment Practices Review.**

#### Retaliation or Coercion Policy: Self-Evaluation Findings

- Page 62 of the City of Lakeland Employee Handbook provides information regarding anti-retaliation. However, coercion is not mentioned.

#### Retaliation or Coercion Policy: Possible Solutions

- Individuals who exercise their rights under the ADA, or assist others in exercising their rights, are protected from retaliation. The prohibition against retaliation or coercion applies broadly to any individual or entity that seeks to prevent an individual from exercising their rights or to retaliate against individuals for having exercised their rights. The City should revise the existing language in the City of Lakeland's Employee Handbook to include language for coercion. This revised information should be adopted City-wide and must be accessible to all employees and the public. See **Appendix C** for a copy of the Retaliation or Coercion Policy as drafted as a part of this transition plan process.

#### Hiring, Testing, and Recruitment Information Review: Self-Evaluation Findings

- The Human Resources Department administers the hiring process for most Departments. However, some departments administer the hiring and promotional process, in conjunction with the Human Resources Department.
- The City does not have a consistent City-Wide non-discrimination statement.

#### Hiring, Testing, and Recruitment Information Review: Possible Solutions

- The Human Resources Department should develop hiring process guidelines. These guidelines should include information on ADA compliant hiring process and should be available to all departments who administer hiring for their department. While these guidelines are not an ADA requirement, these guidelines would assist City staff in being consistent in the hiring process to achieve ADA compliance. The U.S. Equal Employment Opportunity Commission and the U.S. Department of Justice provide guidance here:
  - <https://www.eeoc.gov/>
  - <https://www.ada.gov/>
- The City should develop a City-wide Non-Discrimination Statement Policy for Title I and Title II. See **Section 3.1.14 Non-Discrimination Language**.

#### New Employee Orientation Review: Self-Evaluation Findings

- The Human Resources Department does not provide new employee orientation.
- New employees are provided with the City's employee handbook. However, no ADA-specific policies and procedures, information regarding their rights and obligations under the ADA, nor is the ADA/504 Coordinator(s) contact information provided.
- The City's ADA/504 Coordinator(s) are not introduced to new employees as a new employee orientation is not a part of the new employee process.

#### New Employee Orientation Review: Possible Solutions

- The Human Resources Department should develop new employee orientation guidelines. These guidelines should include a review of ADA-specific policies and procedures, employees' ADA rights and obligations, introduction of the ADA/504 Coordinator(s), as well as typical employment functions and benefits.
- The Human Resources Department should provide new employees with the newly revised City employee handbook that includes adopted ADA policies and procedures from this transition plan process.
- The City should provide annual ADA-specific training to all City staff regarding Title I and Title II. This training should include employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. This training would provide guidance to employees regarding their rights under the ADA and the tools needed to ensure ADA compliance. See **Section 3.1.10 Employment Practices Review**.

#### Training Program Review: Self-Evaluation Findings

- No specific annual ADA training program is provided for City staff regarding Title I or Title II.

#### Training Program Review: Possible Solutions

- The City should provide annual ADA-specific training to staff. This training should include policies and procedures developed from this transition plan process, employee rights and obligations under the ADA, as well as other training topics such as ADA compliance for elements within the public rights-of-way. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. Please see below for recommended training:
  - (ADA01060) Understanding ADA Requirements and Transition Plan Development for Title II Entities: (8 hours)
  - (ADA0020) Disability Awareness and ADA Overview Customer Contact Staff: (2-4 hours)
  - (ADA0010) Disability Employment Training for Human Resources, Staff and Managers/Supervisors: (2-4 hours)
  - (ADA0030) Orientation for ADA Liaison Teams: (2-4 hours)
  - (ADA0050) New 2010 ADA Regulations, an Overview: (4-8 hours)
  - (ADA0080) Public Rights of Way: (4-8 hours)
  - (ADA01080) Full ADAAG or PROWAG (1.5 to 2 days)
  - (CUS01090) Custom Access Training: (2 - 8 hours)

#### Volunteer/Reserve/Intern Program Review: Self-Evaluation Findings

- The City does have an organized volunteer program in which each Department administers their individual program. However, no program guidelines exist, a volunteer manual is not provided, no specific eligibility requirements are provided, no volunteer orientation is provided, no information regarding volunteers' rights and obligations under the ADA is provided, and contact information for the ADA/504 Coordinator(s) is not provided, nor is the ADA/504 Coordinator(s) introduced.

#### Volunteer/Reserve/Intern Program Review: Possible Solutions

- The Human Resources Department should oversee the volunteer program and develop guidelines for each department to utilize to ensure program consistency for ADA compliance as each Department administers its volunteer program. These guidelines should include a review of the volunteer manual, volunteer's ADA rights and obligations, introduction to the Title I and Title II ADA/504 Coordinators, as well as typical City functions.
- The Human Resources Department should develop volunteer job descriptions with specific eligibility requirements. These requirements should be posted with volunteer openings to ensure that individuals can disqualify themselves based on job qualifications. See **Section 3.1.11 Job Description Review**.
- The Human Resources Department should develop a City-wide volunteer manual. Each Department should develop inserts for their department to be incorporated into the volunteer manual. These inserts should include all specific physical and mental eligibility requirements to ensure that volunteers can disqualify themselves from the program, if needed, and include volunteer job descriptions.
- The Human Resources Department should develop a volunteer orientation. This orientation should be required of all volunteers prior to start of service. This orientation should include a review of the volunteer program, job eligibility requirements, volunteer manual, volunteer's ADA rights and obligations, introduction to the Title I and Title II ADA/504 Coordinators, as well as typical City functions.

#### 3.1.11 Job Description Review

The ADA does not require an employer to develop or maintain job descriptions. Nevertheless, employers can certainly benefit from having well-written job descriptions that spell out the "essential functions" for each employment position. When job descriptions are written, they must be non-discriminatory.

A written job description can help employers identify whether an applicant will be able to perform the essential tasks required for a position. During the interview process, employers are not allowed to ask if an individual has a disability that would prevent them from performing certain job tasks. Employers may, however, ask applicants whether they can perform the "essential functions" of a position, such as the ability to meet attendance expectations or to operate a particular machine. If an applicant notifies the employer that he or she is unable to perform an essential job function because of a disability, the employer must then consider whether it is possible to reasonably accommodate the disability.

Ten (10) job descriptions were reviewed. The following section provides a summary of the findings and possible solutions. A complete summary of the job description reviews is provided in **Appendix D**.

#### Job Description Review: Self-Evaluation Findings

- Job descriptions do not have recommended headings for clarification.
- Job descriptions contain discriminatory language. When describing actual job duties, there are some physical demands. However, specific language must be used so that someone with a disability can disqualify themselves.
- Some job descriptions state that a driver's license is required but does not specify if this requirement is a bona fide occupational qualification (BFOQ).

Job Description Review: Self-Evaluation Findings (cont.)

- Job descriptions do not have disclaimer language to inform employees and applicants that the description is subject to change.
- Some job descriptions do not provide physical requirements. These requirements are needed to assist individuals in determining their qualifications.
- Job descriptions do not include a consistent City-wide non-discrimination statement regarding Title I, employment activities.

Job Description Review: Possible Solutions

- Job descriptions should separate information under specific headings for better clarification. Under these headings, the City may use as many sub-headings as necessary to cover all aspects of the job description. These recommended headings are Job Title, Job Summary, Essential Functions, Non-Essential Functions, and Job Specifications.
- When listing physical demands in a job description, the wording must be such that someone with a disability can disqualify themselves. ADA compliant equivalent language must be used. For example: Instead of “carry” or “lift,” use “move,” “transport,” “position,” “install,” “remove,” “hoist,” or “transfer.” See **Appendix D** for Equivalent Language Guidance.
- When a driver's license is a requirement, the City must ensure this is a BFOQ. If this is not necessary as a part of the essential job functions, this should be revised to require a state-issued identification instead of a state-issued driver's license.
- The City should include disclaimer language on all job descriptions to notify employees and applicants that the description is subject to change.
- All job descriptions should provide physical requirements to provide clarity and to ensure that an individual can disqualify themselves if they feel they do not qualify based on the requirements.
- Job descriptions should be revised to include a consistent City-wide non-discrimination statement regarding Title I, employment activities. See **Section 3.1.10 Non-Discrimination Language**. This statement should include language that provides contact information for the ADA/504 Coordinator regarding an accommodation, modification, or alternate formats. While these statements are not a specific ADA requirement, the U.S. Department of Justice (DOJ) requires that all Title II entities adopt and distribute a public notice about the relevant provisions of the ADA to all people who may be interested in its programs, services, and activities. It is recommended to put a non-discrimination statement in all information distributed by the City to comply with 28 CFR 35.106: [https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm#a35106](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35106).



### 3.1.12 Emergency Management Plan Review

Emergency planning and management have become increasingly important today. All community emergency plans, and emergency management teams must include the necessary information on how to properly assist citizens in the community who may have a disability. Identifying the citizens with disabilities is paramount to rescuing them. The City of Lakeland should have an Emergency Management Plan in place that details how to help citizens with disabilities in the event of a local emergency.

Disabilities manifest themselves in varying degrees, and the functional implications of the variations are important for emergency evacuation. A person may have multiple disabilities, while another may have a disability whose symptoms fluctuate. Everyone needs to have a plan to be able to evacuate a building, regardless of their physical condition.

While planning for every situation that may occur in every type of emergency is impossible, being as prepared as possible is important. One way to accomplish this is to consider the input of various people and entities, from executive management, human resources, and employees with disabilities to first responders and other businesses, occupants, and others nearby. Involving such people in the development of the City's Emergency Management Plan will help everyone understand the evacuation plans and the challenges that businesses, building owners and managers, and people with disabilities face.

The following documents were reviewed:

- 2016 Hazard Mitigation Plan
- Lakeland City Hall Evacuation Plan (2016)
- IP Clubhouse Evacuation Plan (July 2012)
- Senior Center Evacuation Plan (July 2012)

#### Emergency Management Plan Review: Self-Evaluation Findings

- The above-mentioned documents were reviewed. Emergency Management of Lakeland is provided by Shelby County Sheriff and Fire Services. No information was found regarding emergency management for citizens of the City of Lakeland, nor was information found regarding emergency evacuation for employees and visitors other than ingress and egress maps.

#### Emergency Management Plan Review: Possible Solutions

- Develop an emergency plan team to encourage communication between the City of Lakeland and all other participating parties.
- Create an emergency plan that includes buildings and areas specific to the City of Lakeland and how the City will respond and control emergencies. The U.S. Department of Justice and the Federal Emergency Management Agency provides guidance here:
  - <https://www.ada.gov/pca toolkit/chap7emergencygmtadd1.htm>
  - [https://www.fema.gov/media-library-data/1437608810237-65bce1c81c720e99c260ea740e98901d/Language\\_Guidelines-Inclusive\\_Emergency\\_Preparedness.pdf](https://www.fema.gov/media-library-data/1437608810237-65bce1c81c720e99c260ea740e98901d/Language_Guidelines-Inclusive_Emergency_Preparedness.pdf).
- Develop internal policies and procedures with assignments for emergency responders to ensure that all emergency plan team members are provided guidance in the event of an emergency.



Emergency Management Plan Review: Possible Solutions (cont.)

- Training should be provided to City staff, volunteers and emergency plan team members to ensure that the emergency plan is thoroughly planned, strategically executed, ensures clear and proper communication to individuals with disabilities, and is effectively implemented in the event of an emergency. Training should include how to identify people wearing medical alert tags or bracelets, and various ways to communicate with people with visual, hearing, or cognitive impairments.
- The City should develop a support network with local disability organizations and include them in the emergency planning process.
- The City should create a volunteer registration process that identifies the location of individuals with disabilities, and the type of disability they have. The registry will help with the planning process for accessible transportation needs.
- The City should ensure they have access to accessible transportation for evacuations or transporting people to a medical clinic. Accessible transportation options can be obtained by working with local or private services, public transportation, or paratransit.
- Evacuation plans should include how to evacuate people with assistive equipment and how to replace equipment if it is lost or destroyed, as well as a plan on how to evacuate people who have service animals.
- The City should prepare alternative ways to help individuals who use medical equipment during a power outage.
- The City should identify the location and availability of more than one facility for dialysis for people who will need dialysis as part of a health maintenance plan or routine or other life-sustaining treatment. In addition, the City should develop a resource list that includes the location of all types of durable medical equipment (DME) available in the City, as well as qualified American Sign Language interpreters, wheelchair repair, therapeutic oxygen, hearing aids and repair, medications, etc. The resource list should be as comprehensive and should be included in the Emergency Planning Manual.
- The City should host an "Emergency Planning Preparedness" class for individuals with disabilities. The class will teach them how to develop a "kit" they can keep for emergencies and allow them to sign up for the emergency registry.
- The City should revise current department employee action plans to address all aspects of an emergency evacuation plan for employees and visitors. Evacuation plans should consider the impact of internal and external emergencies regarding the City's operations and should be tailored to the workplace environment. The Great Lakes ADA Center provides guidance on Emergency Preparedness and Using Employee Information here: <http://adagreatlakes.org/BusinessToolkit/?section=1&id=6>

### 3.1.13 City Ordinance Review

Ten (10) City ordinances were reviewed for consistency with current accessibility requirements and standards.

#### City Ordinance Review: Self-Evaluation Findings

- City ordinances do not include a consistent City-Wide non-discrimination statement.
- Title 1: General Administration
  - This title does not mention information regarding the ADA/504 Coordinator(s).
- Title 2: Boards and Commissions, etc.
  - This title does not include detailed information regarding all boards and commissions, etc.
- Title 3: Municipal Court
  - This title does not include ADA-specific policy and procedure information.
  - Section 3-101 Municipal Judge
    - This section does not list physical or mental requirements for the job.
  - Section 3-105 Training and continuing education requirements
    - This section does not mention annual ADA training.
  - Section 3.109 Maintenance of records
    - This section does not provide information on how to obtain alternate formats.
  - Section 3-110 Training and education requirements of the clerk
    - This section does not mention annual ADA training.
- Title 4: Municipal Personnel
  - This title does not provide information on personnel structure, including information for the ADA/504 Coordinator(s).
- Title 6: Law Enforcement
  - This title is blank and does not contain Police Department-specific ADA guidance or policies and procedures.
- Title 10: Animal Control
  - This title does not include the City's stance on service animals.
- Title 12: Building, Utility, etc. Codes
  - This title does not mention ADA-specific information, such as using the ADA Accessibility Guidelines (ADAAG).
- Title 13: Property Maintenance Regulations
  - This title does not include ADA-specific policy and procedure information.
  - Section 13-110 Abutting property owners to keep right-of-way free and clear of litter
    - This section states that the abutting property owners are to keep tight of way instead of right-of-way free and clear of litter.
    - This section does not include language regarding keeping the pedestrian path accessible (sidewalks and curb ramps).

City Ordinance Review: Self-Evaluation Findings (cont.)

- Title 16: Streets and Sidewalks, etc.  
 Section 16-101 Obstructing streets, alleys, or sidewalks prohibited
  - This section states that obstruction of streets, alleys, or sidewalks is prohibited. However, it does not mention language for prohibited obstructions on curb ramps.
 Section 16-107 Abutting occupants to keep sidewalks clean, etc.
  - This section does not mention curb ramps.
 Section 16-111 Abutting property owners to keep sidewalks in good repair.
  - This section does not mention curb ramps and ADA accessibility guidelines that are utilized, such as the Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG).
- Title 20: Miscellaneous
  - ADA-related language was not found, nor was it required.

City Ordinance Review: Possible Solutions

- City ordinances do not include a consistent City-Wide non-discrimination statement. A consistent City-wide non-discrimination statement does not need to be included within each Title. However, this statement should be provided on the bottom of the page toward the beginning, such as an introduction section or in the General Administration title and any other applicable titles. **See Section 3.1.14 Non-Discrimination Language.**
- Title I: General Administration
  - This title should provide contact information and the roles and responsibilities regarding the ADA/504 Coordinator(s). See Section 3.1.7 ADA/504 Coordinator(s) (Title I / Title II).
- Title 2: Boards and Commissions, etc.
  - This title should be revised to include detailed information regarding all boards and commissions, etc. such as a description for the roles and responsibilities, member eligibility and participation requirements, member opening information, and information on meeting location and notifications.
- Title 3: Municipal Court
  - This title should be revised to include ADA-specific policy and procedure information from this transition plan process.
 Section 3-101 Municipal Judge
  - This section should be revised to include physical and mental requirements for the position. This information should be included so that individuals can disqualify themselves based on the position requirements.
 Section 3-105 Training and continuing education requirements
  - This section should be revised to include a requirement for annual ADA training. See **Section 3.1.10 Employment Practices Review.**
 Section 3.109 Maintenance of records
  - This section should include information on how to obtain alternate formats. See **Section 3.1.17 Alternate Format Policy, Procedure, and Request Form.**
 Section 3-110 Training and education requirements of the clerk
  - This section should be revised to include a requirement for annual ADA training. See **Section 3.1.10 Employment Practices Review.**

City Ordinance Review: Possible Solutions (cont.)

- Title 4: Municipal Personnel
  - This title should provide contact information and the roles and responsibilities regarding the ADA/504 Coordinator(s). See Section 3.1.8 Roles and Responsibilities of the ADA/504 Coordinator(s).
- Title 6: Law Enforcement
  - This title should be revised to include ADA-specific policies and procedures adopted from this transition plan process. Some policies and procedures should be customized to law enforcement operations.
- Title 10: Animal Control
  - This title should be revised to include the City's stance on service animals. See **Section 3.1.7 Service Animal Guidance**.
- Title 12: Building, Utility, etc. Codes
  - This title should be revised to include ADA-specific information, such as using the ADA Accessibility Guidelines (ADAAG).
- Title 13: Property Maintenance Regulations
  - This title should be revised to include ADA-specific policy and procedure information adopted from this transition plan process.

Section 13-110 Abutting property owners to keep right-of-way free and clear of litter

  - This section states that the abutting property owners are to keep tight of way free and clear of litter. The word "tight" should be revised to be "right"
  - This section should be revised to include language regarding keeping the pedestrian path accessible (sidewalks and curb ramps).
- Title 16: Streets and Sidewalks, etc.
 

Section 16-101 Obstructing streets, alleys, or sidewalks prohibited

  - This section should be revised to include language for prohibiting obstructions on curb ramps in addition to streets, alleys, and sidewalks.

Section 16-107 Abutting occupants to keep sidewalks clean, etc.

  - This section should be revised to including language regarding curb ramps in addition to sidewalks.

Section 16-111 Abutting property owners to keep sidewalks in good repair

  - This section should be revised to including language regarding curb ramps and ADA accessibility guidelines that are utilized within the public rights-of-way, such as the Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG).

### 3.1.14 Non-Discrimination Language

All public entities must ensure that no qualified individuals with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity. A complete list of documents and forms reviewed is provided in **Appendix D**.

Public entities should develop the following:

- 1) Non-Discrimination Statement Policy, which documents the requirement to include a non-discrimination statement in any City publication or document distributed to employees or to the public.
- 2) Non-Discrimination Contract Clause, which documents the requirement to include a non-discrimination clause in all funding agreements that the City employs to pass federal funds to other agencies, entities, or municipalities, but not contractors.
- 3) Non-Discrimination Language for Non-federally Funded Contracts, Agreements and Waivers, which clarifies ADA obligations for both parties.

#### ***Non-Discrimination Statement Policy***

##### Non-Discrimination Statement Policy: Self-Evaluation Findings

Several different variations of non-discrimination statements were found. However, none of the statements found are consistent or used City-wide.

##### Non-Discrimination Statement Policy: Possible Solutions

- A non-discrimination statement policy has been drafted as a part of this transition plan process for Title I - employment activities and Title II - programs, services, and activities administered by the City. While these statements are not a specific ADA requirement, the U.S. Department of Justice (DOJ) requires that all Title II entities adopt and distribute a public notice about the relevant provisions of the ADA to all people who may be interested in its programs, services, and activities. It is recommended to put a non-discrimination statement in all information distributed by the City to comply with 28 CFR 35.106:  
[https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm#a35106](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35106)  
See **Appendix C** for a copy of the Non-Discrimination Statement Policy.
- The City should incorporate both non-discrimination statements into a stand-alone policy that provides guidance to City staff on the application of non-discrimination statements for Title I and Title II. This policy should be accessible to all employees and used in City materials that are distributed by the City.

### ***Non-Discrimination Contract Clause***

#### Non-Discrimination Contract Clause: Self-Evaluation Findings

- No information regarding a non-discrimination contract clause was found on the City's website or in City provided documents.

#### Non-Discrimination Contract Clause: Possible Solutions

- A non-discrimination contract clause was drafted as a part of this transition plan process. While this clause is not a specific ADA requirement, the U.S. Department of Justice (DOJ) requires that all Title II entities adopt and distribute a public notice about the relevant provisions of the ADA to all people who may be interested in its programs, services, and activities. It is recommended to put a non-discrimination contract clause in all funding agreements that are funded by federal funds to comply with 28 CFR 35.106:  
[https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm#a35106](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35106)  
See **Appendix C** for a copy of the Non-Discrimination Contract Clause.
- The City should develop staff guidance regarding the application of a non-discrimination contract clause. This policy would only be accessible to applicable City staff who may initiate federally funded contracts or any joint use agreements with other entities.

### ***Non-Discrimination Language for Contracts, Agreements, and Waivers***

#### Non-Discrimination Language for Contracts, Agreements, and Waivers: Self-Evaluation Findings

- All documents reviewed did not contain ADA language that would clarify ADA responsibilities and obligations.

#### Non-Discrimination Language for Contracts, Agreements, and Waivers: Possible Solutions

- The City should develop guidelines to assist the appropriate staff in writing non-discrimination language to be included in all City contracts and agreements. This non-discrimination language would need to be assessed by legal counsel on a case-by-case basis. These guidelines shall include language that clarifies responsibilities regarding ADA maintenance, alterations, and construction.

### 3.1.15 Title II ADA/504 ADA Assurances

Every applicant for federal financial assistance shall provide a written assurance stating that all PSAs are being conducted or operated in compliance with all laws and regulations. As a recipient of federal funds, the City must include a written Title II ADA/504 Assurance in all funding agreements and joint use agreements to receive federal financial assistance. In turn, the City must require that any sub-recipient who receives federal financial assistance from the City provide an annual written Title II ADA/504 Assurance. This includes funding agreements and all joint use agreements with other agencies, entities, or municipalities.

#### Title II ADA/504 ADA Assurances: Self-Evaluation Findings

- The City does receive federal funding. However, the City does not currently have a signed assurance.

#### Title II ADA/504 ADA Assurances: Possible Solutions

- A Title II/504 ADA assurance in accordance with 49 CFR 27.9 was drafted as a part of this transition plan process. See **Appendix C** for a copy of the Title II ADA/504 ADA Assurances. The Code of Federal Regulations are located here:  
[https://www.ecfr.gov/cgi-bin/text-idx?SID=b9b8a3d54d526545fd69ad3de5742ec9&mc=true&tpl=/ecfrbrowse/Title49/49cfr27\\_main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?SID=b9b8a3d54d526545fd69ad3de5742ec9&mc=true&tpl=/ecfrbrowse/Title49/49cfr27_main_02.tpl)

### 3.1.16 Effective Communication Guidance

The ADA requires that all Title II entities communicate effectively with people who have communication disabilities by providing auxiliary aids and services. The goal is to ensure that communication with individuals with disabilities is equally effective as communication with people without disabilities.

Auxiliary aids and services are ways to communicate with individuals with disabilities. The type of auxiliary aids and services are assessed on a case-by-case basis. Auxiliary aids and services must be provided free of charge and provided in accessible formats, in a timely manner, and must be provided in a way that ensures individual privacy and independence. Examples of common auxiliary aids and services include, but are not limited to:

- Sign Language Interpreters
- Oral Interpreters
- Cued Speech Interpreters
- Video Remote Interpreting (VRI)
- Video Interpreting Services (VIS)
- Written materials
- Closed Captioning
- Real-time captioning
- Audio recordings
- Teletypewriters (TTYs)
- Telephone Relay Services
- Computer-aided Real-time Transcription (CART)
- Materials and displays in braille
- Large print materials
- Accessible electronic and information technology
- Assistive listening devices and systems

#### Effective Communication Guidance: Self-Evaluation Findings

The City does not have City-wide specific guidance on how to obtain auxiliary aides and services to ensure effective communication.

#### Effective Communication Guidance: Possible Solutions

The City should develop guidance on how to obtain auxiliary aides and services. This guidance should prepare City staff to accommodate the needs of persons with disabilities. The City should identify local resources for auxiliary aides and services; develop and utilize a City vendor database that would identify vendors who can provide the aids or services with reasonable turn-around timeframes; and provide training to employees regarding effective communication with the use of auxiliary aids and services. This guidance should be consistent with the U.S. Department of Justice's guidance for "Effective Communication." This guidance can be found here:

<https://www.ada.gov/pca toolkit/chap3 toolkit.htm>

### 3.1.17 Alternate Format Policy, Procedure, and Request Form

Under the ADA, a public entity is responsible for providing ADA accessible communications. This includes any documents or information that is distributed by the City of Lakeland. If a request for an alternate format is received, the City must have an action plan to accommodate the request. For example, the Department of Justice does not expect entities to have Braille copies of all documents; however, Braille copies are expected to be readily available. Readily available means that once a request is received, a policy and procedure is in place to make a reasonable accommodation or modification to the document or information requested. This document must be provided to the requestor in a reasonable amount of time.

#### Alternate Format Policy, Procedure, and Request Form: Self-Evaluation Findings

No information regarding an alternate format request policy, procedure, and form was found on the City's website or in City provided documents.

#### Alternate Format Policy, Procedure, and Request Form: Possible Solutions

An alternate format request policy, procedure, and form was drafted as a part of this transition plan process. This policy and procedure shall guide staff regarding the process of obtaining an alternate format and utilizing the City's vendor database, if available, to obtain vendor information for alternate formats. This policy, procedure, and form should be adopted City-wide and should be accessible to all employees and the public. See **Appendix C** for a copy of the Alternate Format Policy, Procedure, and Request Form.

### 3.1.18 Policies and Procedures for ADA Transition Plan Updates and Corrections (Title I / Title II)

Tracking ADA Transition Plan updates and corrections for Title I and Title II is important in showing progress toward barrier removal and should be done using a systematic approach to ensure all updates and corrections are documented.

#### Policies and Procedure for ADA Transition Plan Updates and Corrections (Title I / Title II): Self-Evaluation Findings

No policies and procedures for ADA transition plan updates and corrections for Title I / Title II were found on the City's website or in City-provided documents.



### Policies and Procedure for ADA Transition Plan Updates and Corrections (Title I / Title II): Possible Solutions

Information regarding policies and procedures for ADA transition plan updates and corrections for Title I and Title II was developed as a part of this transition plan process. While this is not a specific ADA requirement, these policies and procedures would provide City staff guidance through the internal process for updating and correcting issues found during the ADA transition plan process. See **Appendix C** for a copy of the Policies and Procedure for ADA Transition Plan Updates and Corrections (Title I / Title II).

### 3.1.19 Responsibility/Acceptance Disclaimer for other Entities' Links, Forms, Documents, and Videos

Under the ADA, a public entity is responsible for providing ADA accessible alternate formats, including any documents or information that is distributed by the City of Lakeland obtained from another entity. For example, there is a link to an external site on City's website that leads to additional information. However, it may not be feasible for the City to obtain the original from the source to create an alternate format. Therefore, the City should add a disclaimer where external sources are referenced stating that the City of Lakeland is not responsible for ADA compliance of external content, and any requests for alternate formats of external content should be directed to the source entity.

### Responsibility / Acceptance Disclaimer for other Entities' Links, Forms, Documents, and Videos: Self-Evaluation Findings

No information or policy regarding an ADA-specific disclaimer was found on the City's website or in City provided documents.

### Responsibility / Acceptance Disclaimer for other Entities' Links, Forms, Documents, and Videos: Possible Solutions

The City should develop a disclaimer statement to communicate the City's perspective on ADA compliance regarding content on another entity's site, links, forms, documents, and videos that are represented on the City's website. This statement should be posted on the website and publicized in common areas that are accessible to all employees and areas open to the public.

### 3.1.20 Previous ADA Complaints Review (Title I / Title II)

All public entities must ensure that no qualified individual with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity.

A review of previous ADA complaints from the past five (5) years is necessary to ensure that all complaints have been addressed and updated in the Transition Plan.

### Previous ADA Complaints Review (Title I / Title II): Self-Evaluation Findings

- The City has received one (1) complaint within the last five (5) years with the Parks and Recreation Department.
- The City does not maintain logs regarding ADA complaints (Title I and Title II) and requests for accommodations or modifications.

#### Previous ADA Complaints Review (Title I / Title II): Possible Solutions

- The City should maintain confidential complaint/request files and ADA complaint/request logs. Logs for both Title I and Title II should include detailed information.
  - Logs for Title I shall be confidential and should include an internal complaint number, extensive details about the complaint and process, as well as details regarding the resolution.
  - Logs for Title II shall be confidential and should include an internal complaint number, extensive details regarding the complaint and process, which would include locations and pictures, and details regarding the complaint resolution.

### 3.1.21 Documents, Forms, and Videos Reviewed

The City's website provides various documents, forms, and videos that are available to the public. For a complete listing of documents, forms, and videos reviewed, see **Appendix D**.

#### Documents, Forms, and Videos Reviewed: Self-Evaluation Findings

- The City does not have alternate formats readily available for every document, form, or video.
- The City does not have a policy or procedure in place to address alternate formats. Alternate formats are auxiliary aids, services, or devices that enable effective communication for individuals with disabilities.
- The City does not have a disclaimer statement to communicate the City's perspective on ADA compliance regarding content on another entity's site, links, forms, documents, videos, or podcasts that are represented on the City's website.
- The City does not have a City-wide Non-Discrimination Statement Policy for Title II that includes this statement in the information that is distributed by the City.
- The City does not have a policy and procedure to provide closed captioning or transcripts for videos that are available to employees and the public.

#### Documents, Forms, and Videos Reviewed: Possible Solutions

- Each Department liaison should develop a list of all documents and forms for their Department. The list should include the document or form name, location(s) where it can be found (office location, website link), what alternate formats are available, and how the formats can be obtained. This list should be updated continuously as documents and forms are created and revised. The forms should be reviewed for ADA compliance. Section 508 Compliant PDF Checklist is provided here:  
<https://508compliantdocumentconversion.com/compliance-regulations/pdf-compliance-checklist/>
- The City should develop an alternate format policy, procedure, and request form. See **Section 3.1.17 Alternate Format Policy, Procedure, and Request Form**.

Documents, Forms, and Videos Reviewed: Possible Solutions (cont.)

- The City should develop a disclaimer statement to communicate the City's perspective on ADA compliance regarding content on another entity's site, links, forms, documents, videos, or podcasts that are represented on the City's website. See **Section 3.1.19 Responsibility / Acceptance Disclaimer for Other Entities' Links, Forms, Documents, Videos, and Podcasts**.
- The City should develop a consistent City-wide non-discrimination statement policy. See **Section 3.1.14 Non-Discrimination Language**.
- The City should develop guidelines to assist staff in providing closed captioning or transcripts for videos that are available to all employees and the public. These guidelines shall include the process of adding closed captioning or use the vendor database to purchase closed captioning or transcription services.

### 3.1.22 Boards, Commissions, Committees, and Councils Review

The City website provides various information regarding the City's boards, commissions, committees, and councils. These groups are listed below:

- Board of Commissioners
- Economic Development Commission
- Industrial Development Board
- Municipal Planning / Design Review Commission
- Board of Appeals / Stormwater Board of Appeals
- Parks and Recreation / Natural Resources Board
- Keep Lakeland Beautiful Advisory Board

Boards, Commissions, Committees, and Councils Review: Self-Evaluation Findings

- All meetings are open to the public and are believed to be held in accessible facilities. However, ADA checklists are not used to determine compliance.
- Meeting minutes and agendas are available. However, they are not available in alternate formats, nor does the City have an alternate format request policy and procedure.
- The City has several versions of a non-discrimination statement. However, the City does not have a consistent City-wide non-discrimination statement to be included in agendas and minutes and information distributed by the City.
- The disability community is not specifically included in the member selection process.
  - Public input opportunities are available at an open forum at the Board of Commissions meetings.
  - Member openings are advertised online, social media pages, and local newspapers.
  - Meeting notices are posted online and at City Hall only. No meeting notices are provided in alternate formats such as local newspapers.
- No specific eligibility requirements (mental or physical) are available. The only requirement is being a City resident.
- ADA training for members is not a common practice.

- No ADA checklists are used to determine ADA compliance when conducting ADA related reviews.

Boards, Commissions, Committees, and Councils Review: Possible Solutions

- The City should develop and use checklists to ensure ADA compliance for meeting locations. While this is not a specific ADA requirement, this checklist would benefit the City by ensuring that all meeting locations are accessible to the public.
- The City should develop an alternate format policy, procedure, and request form. See **Section 3.1.17 Alternate Format Policy, Procedure, and Request Form**. In addition, each board, commission, committee, and council should develop a list of documents and forms for their area. The list should include the document/form name, location(s) where it can be found (office location, website link) if alternate formats are available, and how the alternate formats can be obtained. This list should be updated continuously as documents and forms are created and revised, and the forms should be reviewed for ADA compliance. The Section 508 Compliant PDF Checklist is provided here: <https://508compliantdocumentconversion.com/compliance-regulations/pdf-compliance-checklist/>
- The City should develop a City-wide Non-Discrimination Statement Policy for Title II and include this statement in all meeting agenda and minutes. See **Section 3.1.14 Non-Discrimination Language**.
- The City should provide input opportunities for the disability community regarding the member selection process and meeting notices. See **Section 2.0 Public Outreach**. This may include:
  - Creating a Public Input Survey and posting online, social media pages, local newspapers and send out to specific disability and/or advocacy groups;
  - Posting member openings with specific disability and/or advocacy groups; and
  - Posting meeting notices on social media pages, local newspapers, with specific disability and/or advocacy groups, in addition to online and at City Hall.
- The City should provide detailed eligibility requirements for the boards, commissions, committees and councils member participation. See **Section 3.1.10 Employment Practices Review**.
- The City should provide annual ADA-specific training to all members regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process, employee rights and obligations regarding employment-related training, as well as training for ADA elements within the public rights-of-way. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.10 Employment Practices Review**.

## 3.2 Design Standard Review

The following City of Lakeland design standards were reviewed for compliance with the 2010 Standards for Accessible Design, and 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG).

- STD. ACCESSIBILITY RAMP DETAIL 08/2008
- DRIVEWAYS, APPROACHES & MEDIAN CUTS FOR ADA ACCESSIBILITY 08/2008
- GENERAL SIDEWALK REQUIREMENTS FOR ADA ACCESSIBILITY 08/2008
- ADA ACCESSIBLE PARKING SIGN 08/2008
- CONCRETE JOINT DETAILS 08/2008
- STANDARD PEDESTRIAN PATHWAY SECTIONS 08/2008

### Design Standard Review: Self-Evaluation Findings

- STD. ACCESSIBILITY RAMP DETAIL 08/2008
  - Add note to state 1:48 (2%) maximum ramp cross slope
  - Add note to state 1:10 (10%) maximum flare slope
  - Add note to state 1:20 (5%) maximum gutter counter slope
- DRIVEWAYS, APPROACHES & MEDIAN CUTS FOR ADA ACCESSIBILITY 08/2008
  - No issues
- GENERAL SIDEWALK REQUIREMENTS FOR ADA ACCESSIBILITY 08/2008
  - No issues
- ADA ACCESSIBLE PARKING SIGN 08/2008
  - Add note to 5'0" height to state "from parking surface"
- CONCRETE JOINT DETAILS 08/2008
  - No issues
- STANDARD PEDESTRIAN PATHWAY SECTIONS 08/2008
  - No issues

### Design Standard Review: Possible Solutions

A complete list of possible solutions is provided in **Appendix E**.

## 3.3 Facilities Review

### 3.3.1 Buildings

Thirteen (13) buildings within the City of Lakeland were evaluated. All buildings included in the evaluation are listed in **Table 1** and shown on the map in **Appendix F**.

**Table 1. Summary of Buildings Reviewed**

Buildings	
1. Scotts Creek Wastewater Treatment Plant	9708 Old Brownsville Road
2. City Hall	10001 US Hwy 70
3. City Hall Park Pavilion	9959 US Hwy 70
4. City Hall Park Restroom	9959 US Hwy 70
5. Public Works Building	10001 US Hwy 70
6. IH Club House	4523 Canada Rd
7. Lakeland Senior Center	4527 Canada Rd
8. IH Park Pavilion	4523 Canada Rd
9. Fire Station	9774 Beverle Rivera Drive
10. Windward Slopes Park Gazebo	9822 Beverle Rivera Drive
11. Oak Ridge Park Pavilion	4215 Herons Landing Lane
12. Zadio Kuehl Park Pavilion	3065 Yukon Drive
13. Windward Slopes Park Restrooms	9774 Beverle Rivera Drive

#### Buildings: Self-Evaluation Findings

Areas that were evaluated for each building included parking lots, path of travel from the parking lot to the building, access into the building, signage, drinking fountains, telephones, bathrooms, and counter heights. A complete list of issues is provided in the building facility reports (see **Appendix G**). Common issues identified included:

- Non-compliant accessible parking
- Non-compliant entrances
- Non-compliant transaction counters
- Non-compliant restrooms and drinking fountains

#### Buildings: Possible Solutions

A complete list of possible solutions is provided in the building facility reports (see **Appendix G**).

### 3.3.2 Parks

Seven (7) parks within the City of Lakeland were evaluated. All parks included in the evaluation are listed in **Table 2** and shown on the map in **Appendix F**.

**Table 2. Summary of Parks Reviewed**

Parks	
1. City Hall Park	1001 US-70
2. International Harvester Managerial Park	4523 Canada Rd
3. Cool Springs Park	Cool Springs Blvd
4. Oak Ridge Park	4175 Herons Landing Ln
5. Windward Slopes Park	9774 Beverle Rivera Dr
6. Zadie E. Kuehl Memorial Park	3065 Yukon Dr
7. Plantation Hills Park	Bluebird Hill Cv

Parks: Self-Evaluation Findings

Areas that were evaluated for each park included parking lots, path of travel from the parking lot to the park amenities, access into facilities, signage, drinking fountains and restrooms. A complete list of issues is provided in the park facility reports (see **Appendix G**). Common issues identified included:

- Non-compliant accessible
- Non-compliant park amenities

Parks: Possible Solutions

A complete list of possible solutions is provided in the park facility reports (see **Appendix G**).

### 3.3.4 Signalized Intersections

Three (3) signalized intersections within the City of Lakeland were evaluated. Signalized intersection evaluations cataloged the conditions and measurements along the pedestrian path of travel, which includes street crossings, curb ramps, sidewalk adjacent to the curb ramps, and pedestrian signal equipment and adjacent clear spaces.

All signalized intersections included in the evaluation are listed on a map included in **Appendix F**.

Signalized Intersections: Self-Evaluation Findings

Common curb ramp issues included excessive flare cross slopes, excessive curb ramp running slopes and cross slopes, and landing cross slopes. **Table 3** provides a summary of the curb ramp issues at signalized intersections.

About 46% percent of pedestrian crossings at signalized intersections did not have pedestrian signal heads or pedestrian push buttons. Pedestrian push buttons and signal heads were recommended to be installed at all signalized intersection pedestrian crossings where they did not exist. Common issues associated with the existing pedestrian push buttons included non-existent or inaccessible push button clear spaces, excessive push button clear cross slopes, push buttons installed at locations inconsistent with the current *Manual on Uniform Traffic Control Devices (MUTCD)* guidance, and excessive push button heights. **Table 4** provides a summary of the push button issues.

Signalized Intersections: Possible Solutions

A complete list of possible solutions can be found in the signalized intersection reports provided in **Appendix G**.

**Table 3. Summary of Curb Ramp Issues at Signalized Intersections**

<b>Curb Ramp Element</b>	<b>Number Evaluated</b>	<b>Number Compliant</b>	<b>Percent Compliant</b>
Curbed sides at 90°	8	8	100.00%
Curb ramp does not have traversable sides	8	8	100.00%
Curb ramp lands in crosswalk	18	18	100.00%
48" crosswalk extension exists	18	18	100.00%
Curb ramp present where curb ramp is needed	18	18	100.00%
Curb ramp turning space (landing) exists	18	17	94.44%
Curb ramp width ≥ 48"	18	17	94.44%
Flush transition to roadway exists	18	16	88.89%
Presence of detectable warning surface	18	16	88.89%
No obstruction in curb ramp, turning space (landing), or flares	19	16	84.21%
No ponding in curb ramp, turning space (landing), or flares	18	15	83.33%
Curb ramp turning space (landing) cross slope ≤ 2%	18	15	83.33%
Detectable warning surface color contrasts with adjacent curb ramp surface	18	15	83.33%
Curb ramp cross slope ≤ 2%	18	15	83.33%
Curb ramp counter slope ≤ 5%	18	14	77.78%
Curb ramp turning space (landing) running slope ≤ 2%	18	14	77.78%
Curb ramp running slope ≤ 8.3%	18	14	77.78%
Curbed sides at 90°	8	8	100.00%



**Table 4. Summary of Push Button Issues**

Push Button Element	Number Evaluated	Number Compliant	Percent Compliant
Push button diameter is 2"	8	8	100.00%
Push button orientation is parallel to crossing direction	8	7	87.50%
Clear space cross slope $\leq 2\%$	16	13	81.25%
Clear space exists and can be accessed	16	13	81.25%
Clear space running slope $\leq 2\%$	16	11	68.75%
Push button offset from crosswalk $\leq 5'$	16	10	62.50%
Push button offset from curb $\leq 10'$	16	10	62.50%
Pedestrian head exists where pedestrian head is needed	33	16	48.48%
Push button exists where push button is needed	33	16	48.48%

### 3.3.5 Sidewalk Corridors

The sidewalk corridor evaluations documented conditions and measurements along the pedestrian path of travel, which includes the sidewalk, railroad crossings, curb ramps, pedestrian crossings at driveway openings, and pedestrian crossings at unsignalized intersections with cross streets. Approximately 41 miles of sidewalk were evaluated. The included sidewalk corridors were selected due to their high level of pedestrian activity as well as their proximity to pedestrian traffic generators. A map of the evaluated sidewalk corridors is provided in **Appendix F**.

#### Sidewalk Corridors: Self-Evaluation Findings

Common issues along the sidewalk corridors were excessive sidewalk cross slopes, vertical surface discontinuities that caused excessive level changes, excessive driveway and cross street cross slopes, permanent obstructions in the sidewalk such as power poles or utilities, and temporary obstructions in the sidewalk or path of travel such as weeds and low hanging branches. Where excessive vegetation was present, field crews attempted to assess the condition of the underlying sidewalk. Where possible, the condition of the underlying sidewalk was recorded; however, the City of Lakeland may find additional issues with the sidewalk once the temporary obstruction is removed.

Common curb ramp issues at unsignalized intersections along the sidewalk corridors included curb ramps having excessive landing running slopes and cross slopes, no presence of color contrast or texture contrast, excessive running slopes and cross slopes, and excessive flare cross slopes. A summary of the unsignalized intersection curb ramp issues is provided in **Table 5**. Non-compliant curb ramps, sidewalk, and pedestrian paths of travel along driveways and street crossings at unsignalized interactions were recommended to be removed and replaced.

The ADA of 1990, Section 35.150, Existing Facilities, requires that the Transition Plan include a schedule for providing curb ramps or other sloped area at existing pedestrian walkways, which applies to all facilities constructed prior to 1992. For any sidewalk installations constructed from 1992 to March 15, 2012, the curb ramps should have been installed as part of the sidewalk construction project per the 1991 Standards for Accessible Design, Section 4.7

Curb Ramp, which states, “curb ramps complying with 4.7 shall be provided wherever an accessible route crosses a curb.” For sidewalk installations constructed on or after March 15, 2012, similar guidance is provided in the 2010 Standards for Accessible Design, Section 35.151 of 28 CFR Part 35, New Construction and Alterations, which states, “newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped area at any intersection having curb or other sloped area at intersections to streets, roads, or highways.”

#### Sidewalk Corridors: Possible Solutions

To meet the federal requirements for curb ramp installations, the following recommendations were made:

- Where sidewalk leads up to the curb at an intersection, both parallel and perpendicular to the project corridor, two (2) directional curb ramps were recommended to be installed where geometry permitted. The Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) requires two (2) directional curb ramps be installed during modifications unless there are existing physical constraints.
- Where sidewalk parallel to the project corridor leads up to the curb at a driveway, directional curbs ramps were recommended to be installed to serve the driveway crossing.
- Where diagonal curb ramps were installed with the intent to serve a side-street crossing only, receiving curb ramps are still required to be installed on the opposite side of the major street. However, an engineering study should be performed prior to the installation of the receiving curb ramps to determine if the major street crossing is safe to accommodate. If the engineering study determines the major street crossing is unsafe to accommodate, the existing diagonal curb ramps should be removed and replaced with directional curb ramps in addition to the other requirements noted in **Section 3.5** FHWA Guidance on Closing Pedestrian Crossings being implemented.

A complete list of possible solutions can be found in the sidewalk, and unsignalized intersection facility reports provided in **Appendix G**.

**Table 5. Summary of Curb Ramp Issues at Unsignalized Intersections**

Curb Ramp Element	Number Evaluated	Number Compliant	Percent Compliant
Curbed sides at 90°	76	75	98.68%
Curb ramp does not have traversable sides	76	74	97.37%
Flush transition to roadway exists	379	336	88.65%
Curb ramp lands in crosswalk	32	28	87.50%
Curb ramp width ≥ 48"	379	330	87.07%
Curb ramp turning space (landing) exists	379	297	78.36%
Curb ramp running slope ≤ 8.3%	379	269	70.98%
Curb ramp present where curb ramp is needed	582	379	65.12%
Curb ramp counter slope ≤ 5%	379	216	56.99%
Curb ramp cross slope ≤ 2%	379	200	52.77%
Flare cross slope ≤ 10%	308	160	51.95%
Presence of detectable warning surface	379	188	49.60%
Curb ramp turning space (landing) cross slope ≤ 2%	297	142	47.81%
Detectable warning surface color contrasts with adjacent curb ramp surface	379	152	40.11%
Curb ramp turning space (landing) running slope ≤ 2%	287	112	39.02%
No ponding in curb ramp, turning space (landing), or flares	379	145	38.26%
No obstruction in curb ramp, turning space (landing), or flares	379	80	21.11%
48" crosswalk extension exists	241	6	2.49%

### 3.4 Maintenance Versus Alterations

The United States Department of Justice (DOJ) has issued a briefing memorandum on clarification of maintenance versus projects. Information contained in the briefing memorandum is below. We recommend this clarification with regard to when curb ramp installation is required as part of a project be distributed to the appropriate City of Lakeland staff.

*The Americans with Disabilities Act of 1990 (ADA) is a civil rights statute prohibiting discrimination against persons with disabilities in all aspects of life, including transportation, based on regulations promulgated by the United States Department of Justice (DOJ). DOJ's regulations require accessible planning, design, and construction to integrate people with disabilities into mainstream society. Further, these laws require that public entities responsible for operating and maintaining the public rights-of-way do not discriminate in their*

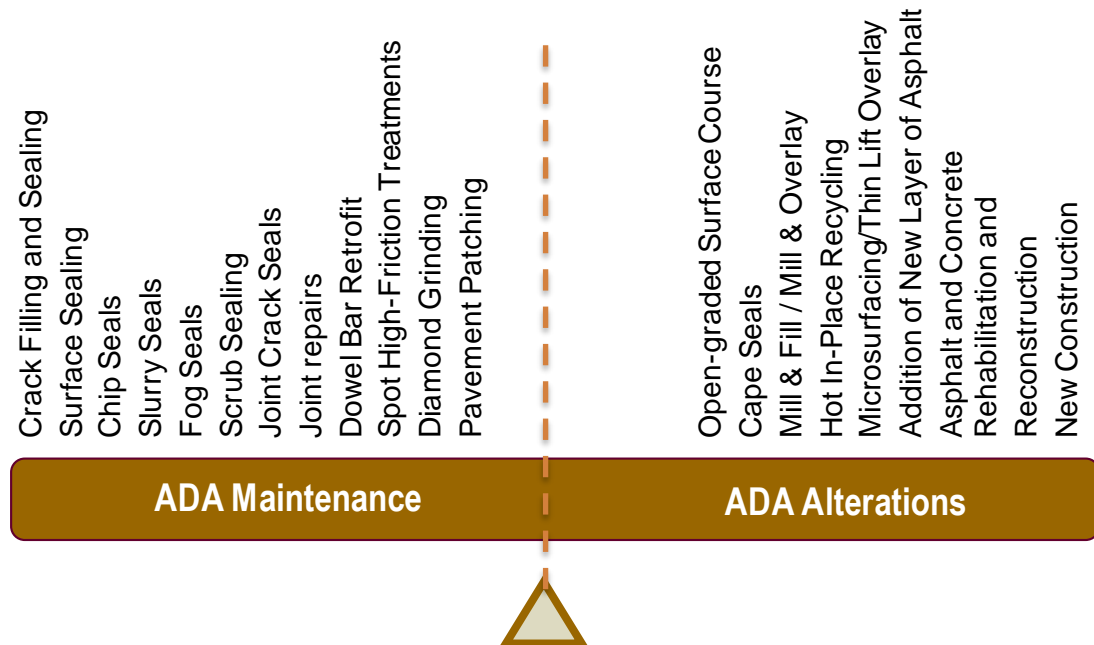
*programs and activities against persons with disabilities. FHWA's ADA program implements the DOJ regulations through delegated authority to ensure that pedestrians with disabilities have the opportunity to use the transportation system's pedestrian facilities in an accessible and safe manner.*

*FHWA and DOJ met in March 2012 and March 2013 to clarify guidance on the ADA's requirements for constructing curb ramps on resurfacing projects. Projects deemed to be alterations must include curb ramps within the scope of the project.*

*This clarification provides a single Federal policy that identifies specific asphalt and concrete-pavement repair treatments that are considered to be alterations – requiring installation of curb ramps within the scope of the project – and those that are considered to be maintenance, which do not require curb ramps at the time of the improvement. Figure 1 provides a summary of the types of projects that fall within maintenance versus alterations.*

*This approach clearly identifies the types of structural treatments that both DOJ and FHWA agree require curb ramps (when there is a pedestrian walkway with a prepared surface for pedestrian use and a curb, elevation, or other barrier between the street and the walkway) and furthers the goal of the ADA to provide increased accessibility to the public right-of-way for persons with disabilities. This single Federal policy will provide for increased consistency and improved enforcement.*

**Figure 1. Maintenance versus Alteration Projects**



Source: DOJ Briefing Memorandum on Maintenance versus Alteration Projects

### 3.5 FHWA Guidance on Closing Pedestrian Crossings

An alteration that decreases or has the effect of decreasing the accessibility of a facility below the requirements for new construction at the time of the alteration is prohibited. For example, the removal of an existing curb ramp or sidewalk (without equivalent replacement) is prohibited. However, the FHWA has indicated a crossing may be closed if an engineering study (performed by the City and not included in the scope of this Transition Plan) determines the crossing is not safe for any user. The crossing should be closed by doing the following:

- A physical barrier is required to close a crossing at an intersection. FHWA has determined that a strip of grass between the sidewalk and the curb is acceptable as a physical barrier.
- A sign should be used to communicate the closure.

The agency wishing to close certain intersection crossings should have a reasonable and consistent policy on when to do so written in their Transition Plan or as a standalone document. If safety concerns are established by an engineering study, a pedestrian crossing should not be accommodated for any user. The City of Lakeland should also develop and implement a policy on how to close those crossings that are accommodated based on the existing conditions at the crossing location (e.g., existing sidewalk leading up to the curb in the direction of the crossing or existing curb ramp or crosswalk serving the crossing) but should not be due to safety concerns.

### 3.6 Prioritization

The following sections outline the prioritization factors and results of the prioritization for buildings, parks, signalized intersections, sidewalks, and unsignalized intersections. Each facility type has a different set of parameters to establish the prioritization for improvements. These prioritization factors were taken into consideration when developing the implementation plan for the proposed improvements.

### 3.6.1 Prioritization Factors for Facilities

Buildings and parks were prioritized on a 12-point scale, which is defined in **Table 6**. This prioritization methodology was developed by the Consultant Team to aid the City in determining how the buildings should be prioritized for improvements based on the severity of non-compliance with ADA.

Signalized intersections were prioritized on a 13-point scale. The 13-point scale, which is used to prioritize both signalized and unsignalized intersections, is defined in **Table 7**. This prioritization methodology was developed by the Consultant Team to aid the City in determining which signalized intersections should be prioritized for improvements over other signalized intersections based on the severity of non-compliance with ADA.

Sidewalk corridors were prioritized on a 3-point scale and were given a priority of either “High”, “Medium”, “Low” based on the severity of non-compliance, which is defined in **Table 8**. Compliant segments of the sidewalk corridor were given a priority label of “Compliant”.

*[The remainder of this page intentionally left blank.]*

**Table 6. Prioritization Factors for Buildings/Parks**

Priority	Criteria
1 (high)	Complaint known or imminent danger present
2 (high)	<ul style="list-style-type: none"> <li>Element is more than twice the allowable requirement. No known complaint</li> <li>AND (for exterior conditions) location is near a hospital, school, transit stop, government building, or other pedestrian attractor.</li> </ul>
3 (high)	<ul style="list-style-type: none"> <li>Element is more than twice the allowable requirement. No known complaint</li> <li>AND (for exterior conditions) location is not near a hospital, school, transit stop, government building, or other pedestrian attractor.</li> </ul>
4 (high)	Issues with parking or exterior conditions (DOJ level 1) – moderately out of compliance
5 (medium)	Issues with access to goods and services (DOJ level 2) – severely out of compliance
6 (medium)	Issues with: <ul style="list-style-type: none"> <li>Access to goods and services (DOJ level 2) – moderately out of compliance;</li> <li>Parking or exterior conditions (DOJ level 1) – minimally out of compliance; OR</li> <li>Restrooms (DOJ level 3) – severely out of compliance</li> </ul>
7 (medium)	Issues with: <ul style="list-style-type: none"> <li>Access to goods and services (DOJ level 2) – minimally out of compliance;</li> <li>Restrooms (DOJ level 3) – moderately out of compliance; OR</li> <li>Drinking fountains or public phones (DOJ level 4 &amp; 5) – severely out of compliance</li> </ul>
8 (medium)	Issues with drinking fountains or public phones (DOJ level 4 & 5) - moderately out of compliance
9 (low)	Issues with restrooms (DOJ level 3) – minimally out of compliance
10 (low)	Issues with drinking fountains or public phones (DOJ level 4 & 5) - minimally out of compliance
11 (low)	<ul style="list-style-type: none"> <li>Client is a Title II agency; AND</li> <li>Elements out of compliance, but may be able to be handled programmatically or do not need to be handled unless or until the agency hires a person with a disability</li> </ul>
12 (low)	Element is fully compliant with an older standard (safe-harbored), but will need to be brought into compliance with current standards if altered

**Table 7. Prioritization Factors for Signalized and Unsignalized Intersections**

Priority	Criteria
<b>1 (high)</b>	Complaint filed on curb ramp or intersection or known accident/injury at site
<b>2 (high)</b>	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>• Running slope &gt; 12%</li> <li>• Cross slope &gt; 7%</li> <li>• Obstruction to or in the curb ramp or landing</li> <li>• Level change &gt; ¼ inch at the bottom of the curb ramp</li> <li>• No detectable warnings</li> </ul> AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
<b>3 (high)</b>	<ul style="list-style-type: none"> <li>• No curb ramp where sidewalk or pedestrian path exists</li> </ul> AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
<b>4 (high)</b>	No curb ramps, but striped crosswalk exists
<b>5 (medium)</b>	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>• Running slope &gt; 12%</li> <li>• Cross slope &gt; 7%</li> <li>• Obstruction to or in the curb ramp or landing</li> <li>• Level change &gt; ¼ inch at the bottom of the curb ramp</li> <li>• No detectable warnings</li> </ul> AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
<b>6 (medium)</b>	<ul style="list-style-type: none"> <li>• No curb ramp where sidewalk or pedestrian path exists</li> </ul> AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
<b>7 (medium)</b>	One curb ramp per corner and another is needed to serve the other crossing direction
<b>8 (medium)</b>	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>• Cross slope &gt; 5%</li> <li>• Width &lt; 36 inches</li> <li>• Median/island crossings that are inaccessible</li> </ul>
<b>9 (low)</b>	Existing curb ramp with either running slope between 8.3% and 11.9% or insufficient turning space
<b>10 (low)</b>	Existing diagonal curb ramp without a 48-inch extension into the crosswalk
<b>11 (low)</b>	Existing pedestrian push button is not accessible from the sidewalk and/or curb ramp
<b>12 (low)</b>	Existing curb ramp with returned curbs where pedestrian travel across the curb is not protected
<b>13 (low)</b>	All other intersections not prioritized above



**Table 8. Prioritization Factors for Sidewalk Corridors**

Criteria	Priority		
	1 (high)	2 (medium)	3 (low)
Cross slope of sidewalk is greater than 2%	Value > 3.5%	3.5% ≥ Value > 2.0%	
Width of sidewalk is less than 48 inches	Value ≤ 36.0"	36.0" < Value < 42.0"	42.0" < Value < 48.0"
Obstruction present along sidewalk	Obstruction - Permanent	Obstruction - Temporary	
Heaving, sinking, or cracking present on sidewalk	Heaving Sinking Cracking		
Ponding on sidewalk		Ponding	
Missing sidewalk			Missing Sidewalk
Signalized cross street cross slope is greater than 5%	Value > 9.0%	9.0% ≥ Value ≥ 7.0%	7.0% > Value > 5.0%
Unsignalized cross street cross slope is greater than 2%	Value > 6.0%	6.0% ≥ Value ≥ 4.0%	4.0% > Value > 2.0%
Cross street running slope is greater than 5%	Value > 7.0%	7.0% ≥ Value ≥ 6.0%	6.0% > Value > 5.0%
Driveway sidewalk width is less than 48 inches	Value ≤ 36.0"	36.0" < Value < 42.0"	42.0" < Value < 48.0"
Driveway (or sidewalk if applicable) cross slope is greater than 2%	Value > 6.0%	6.0% ≥ Value ≥ 4.0%	4.0% > Value > 2.0%
Driveway (or sidewalk if applicable) condition is poor or poor dangerous	Elevation change greater than 1/2 inch or gaps greater than 1 inch	Elevation change between 1/4 inch and 1/2 inch or gaps between 1/2 inch and 1 inch	
Railroad crossing excessive sidewalk vertical discontinuity	Elevation change greater than 1/4 inch or gaps greater than 1 inch)		
Railroad crossing pre-fabricated plate is plastic or does not exist	Yes – Plastic or No		
Railroad crossing flangeway gap is greater than 3 inches	Value > 3.0"		
Railroad crossing is missing detectable warning surface(s)	Value > 2.5"		

Table 9, Table 10, Table 11, and Table 12 provide summaries of the prioritization classifications for signalized intersections, sidewalks, park sidewalks, and unsignalized intersections, respectively.

**Table 9. Prioritization Summary Signalized Intersections**

Priority	Number of Intersections
0 (compliant)	0
1 (high)	0
2 (high)	0
3 (high)	0
4 (high)	0
5 (medium)	2
6 (medium)	0
7 (medium)	0
8 (medium)	0
9 (low)	0
10 (low)	0
11 (low)	0
12 (low)	0
13 (low)	0
<b>Total</b>	<b>2</b>

**Table 10. Prioritization Summary for Right-of-Way Sidewalk Corridors**

Line type	Length (miles) by Priority				
	1 (high)	2 (medium)	3 (low)	Compliant	Total
<b>Sidewalks</b>	9.18	13.77	0.03	11.27	<b>34.25</b>
<b>Driveways</b>	2.75	1.95	0.80	0.21	<b>5.70</b>
<b>Cross Streets</b>	0.07	0.17	0.44	0.97	<b>1.65</b>
<b>Total</b>	<b>12.00</b>	<b>15.89</b>	<b>1.27</b>	<b>12.44</b>	<b>41.60</b>

**Table 11. Prioritization Summary for Park Sidewalk Corridors**

Line type	Length (miles) by Priority				
	1 (high)	2 (medium)	3 (low)	Compliant	Total
<b>Sidewalks</b>	0.84	0.41	0.00	0.80	<b>2.05</b>
<b>Total</b>	<b>0.84</b>	<b>0.41</b>	<b>0.00</b>	<b>0.80</b>	<b>2.05</b>

**Table 12. Prioritization Summary for Unsignalized Intersections**

Priority	Number of Intersections
<b>0 (compliant)</b>	9
<b>1 (high)</b>	0
<b>2 (high)</b>	2
<b>3 (high)</b>	0
<b>4 (high)</b>	0
<b>5 (medium)</b>	159
<b>6 (medium)</b>	14
<b>7 (medium)</b>	1
<b>8 (medium)</b>	0
<b>9 (low)</b>	4
<b>10 (low)</b>	0
<b>11 (low)</b>	0
<b>12 (low)</b>	0
<b>13 (low)</b>	9
<b>Total</b>	<b>198</b>

### 3.7 Conclusion

This document serves as the Americans with Disabilities Act (ADA) Transition Plan for the City of Lakeland. In developing the Transition Plan, programs, services, and activities were reviewed for compliance with ADA guidelines and a Self-Evaluation was conducted on the following facilities:

- 13 buildings;
- 7 parks;
- 3 signalized intersections;
- 2 miles of park sidewalk; and
- 41 miles of sidewalk and all unsignalized intersections and driveways along the sidewalk corridors.

The possible solutions were prioritized, and an implementation plan was developed to provide guidance for the City's improvement projects in the coming years. Public outreach was also conducted to aid in the development of the plan.

The City is taking the actions referenced below and will continue to look for and remedy barriers to access to ensure that Lakeland citizens who are disabled are given access to the City's programs, services, and activities.

To confirm follow-up on corrective actions required under the Transition Plan, the City will institute an ADA Action Log, documenting its efforts at compliance with the ADA. At a minimum, the Action Log will identify items that are not ADA compliant and will include anticipated completion dates. After the adoption of the Transition Plan by the governing body of the City, the ADA Action Log will be updated on an annual basis. The ADA Action Log should be available upon request. See example of ADA Action Log provided in **Appendix H**.

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## 5.0 Facility Costs

### 5.1 Facilities Cost Projection Overview

To identify funding sources and develop a reasonable implementation schedule, cost projection summaries for only the facilities evaluated were developed for each facility type. To develop these summaries, recent bid tabulations from the Tennessee Department of Transportation (TDOT) construction projects, along with Consultant Team experience with similar types of projects, were the basis for the unit prices used to calculate the improvement costs. A contingency percentage (20%) was added to the subtotal to account for increases in unit prices in the future in addition to an engineering design percentage (15%). All costs are in 2019 dollars. **Table 13** provides a summary of the estimated costs to bring each facility into compliance.

**Table 13. Summary of Facility Costs**

Facility Type	Priority			
	High	Medium	Low	Total
Buildings	\$88,358	\$304,256	\$88,088	\$480,701
Parks	\$95,000	\$42,125	\$0	\$137,125
Parks Sidewalk	\$197,233	\$176,167	\$0	\$373,400
Signalized Intersections	\$0	\$92,700	\$0	\$92,700
Public Rights-of-Way Sidewalk	\$4,862,684	\$6,348,864	\$746,852	\$11,958,400
Public Rights-of-Way Unsignalized Intersections	\$83,300	\$7,148,400	\$99,600	\$7,331,300
<b>City Totals</b>	<b>\$5,326,574</b>	<b>\$14,112,512</b>	<b>\$934,540</b>	<b>\$20,373,626</b>

### 5.2 Implementation Schedule

**Table 14** details the barrier removal costs and proposed implementation schedule by facility type for all City-owned facilities evaluated. This 30-year plan will serve as the implementation schedule for the Transition Plan. The City of Lakeland reserves the right to change the barrier removal priorities on an ongoing basis to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, and changes in City programs.

It is the intent of the City to have its ADA Coordinator work together with department heads and budget staff to determine the funding sources for barrier removal projects. Once funding is identified, the ADA Coordinator will coordinate the placement of the projects in the Capital Improvement Program to be addressed on a fiscal year basis.

**Table 14. Implementation Schedule**

Facility Type	Estimated Cost	Implementation Schedule (years)	Approximate Annual Budget
Buildings	\$480,701	30	\$16,024
Parks	\$137,125	30	\$4,570
Park Sidewalks	373,400	30	\$12,447
Signalized Intersections	\$92,700	30	\$3,090
Public Rights-of-Way Sidewalk	\$11,958,400	30	\$398,613
Public Rights-of-Way Unsignalized Intersections	\$7,331,300	30	\$244,377
<b>City Total</b>	<b>\$20,427,026</b>		
<b>Total Annual Budget</b>			<b>\$679,121</b>

### 5.3 Funding Opportunities

Several alternative funding sources are available to the City to complete the improvements in this Transition Plan. The funding opportunities include applying for resources at the federal and state level, consideration of local options, and leveraging private resources. The following sections detail some different funding source options.

#### 5.3.1 Federal and State Funding

**Table 15** depicts the various types of federal and state funding available for the City to apply for funding for various improvements. The following agencies and funding options are represented in the chart.

- BUILD – Better Utilizing Investments to Leverage Development Transportation Discretionary Grants
- INFRA – Infrastructure for Rebuilding America Discretionary Grant Program
- TIFIA – Transportation Infrastructure Finance and Innovation Act (loans)
- FTA – Federal Transit Administration Capital Funds
- ATI – Associated Transit Improvement (1% set-aside of FTA)
- CMAQ – Congestion Mitigation and Air Quality Improvement Program
- HSIP – Highway Safety Improvement Program
- NHPP – National Highway Performance Program
- STBG – Surface Transportation Block Grant Program
- TA – Transportation Alternatives Set-Aside (formerly Transportation Alternatives Program)
- RTP – Recreational Trails Program
- SRTS – Safe Routes to School Program / Activities
- PLAN – Statewide Planning and Research (SPR) or Metropolitan Planning funds
- NHTSA 405 – National Priority Safety Programs (Nonmotorized safety)
- FLTTP – Federal Lands and Tribal Transportation Programs (Federal Lands Access Program, Federal Lands Transportation Program, Tribal Transportation Program, Nationally Significant Federal Lands and Tribal Projects)

Most of these programs are competitive type grants; therefore, the City of Lakeland is not guaranteed to receive these funds. It will be important for the City to track these programs to apply for the funds. Federal-aid funding programs have specific requirements that projects must meet, and eligibility must be determined on a case-by-case basis.



**Table 15. Funding Opportunities**

ACTIVITY	BUILD	INFRA	TIFIA	FTA	ATI	CMAQ	HSIP	NHPP	STBG	TA	RTP	SRTS	PLAN	NHTS	FLTP
Access enhancements to public transportation	X	X	X	X	X	X		X	X	X					X
ADA/504 Self-Evaluation / Transition Plan									X	X	X		X		X
Bus shelters and benches	X	X	X	X	X	X		X	X	X					X
Coordinator positions (state or local)						X			X	X		X			
Crosswalks (new or retrofit)	X	X	X	X	X	X	X	X	X	X	X	X			X
Curb cut and ramps	X	X	X	X	X	X	X	X	X	X	X	X			X
Paved shoulders for pedestrian use	X	X	X			X	X	X	X	X		X			X
Pedestrian plans				X					X	X		X	X		X
Recreational trails	X	X	X						X	X	X				X
Shared use paths / transportation trails	X	X	X	X	X	X	X	X	X	X	X	X			X
Sidewalk (new or retrofit)	X	X	X	X	X	X	X	X	X	X	X	X			X
Signs / signals / signal improvements	X	X	X	X	X	X	X	X	X	X		X			X
Signed pedestrian routes	X	X	X	X	X	X		X	X	X		X			X
Spot improvement programs	X	X	X	X			X	X	X	X	X	X			X
Stormwater impacts related to pedestrian projects	X	X	X	X	X		X	X	X	X	X	X			X
Trail bridges	X	X	X			X	X	X	X	X	X	X			X
Trail / highway intersections	X	X	X			X	X	X	X	X	X	X			X
Trailside and trailhead facilities	X	X	X						X	X	X				X
Training						X	X		X	X	X	X	X	X	
Tunnels / undercrossings for pedestrians	X	X	X	X	X	X	X	X	X	X	X	X			X

*Adapted from FHWA Pedestrian and Bicycle Funding Opportunities, Revised August 9, 2018:  
[https://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/funding/funding\\_opportunities.cfm](https://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/funding_opportunities.cfm)*

### 5.3.2 Local Funding

There are several local funding options for the City to consider, including:

- Community Development Block Grants (CDBG)
- Community Improvement District (CID) – A geographically defined district in which commercial property owners vote to impose a self-tax. Funds are then collected by the taxing authority and given to a board of directors elected by the property owners.
- General fund (sales tax and bond issue)
- Scheduled/funded CIP projects that are funded through bonds
- Sidewalk or Access Improvement Fee
- Special tax districts – A district with the power to provide some governmental or quasi-governmental service and to raise revenue by taxation, special assessment, or charges for services.
- Tax Allocation District (TAD) – A defined area where real estate property tax monies gathered above a certain threshold for a certain period of time (typically 25 years) is to be used for a specified improvement. The funds raised from a TAD are placed in a tax-free bond (finance) where the money can continue to grow. These improvements are typically for revitalization and especially to complete redevelopment efforts.
- Tax Increment Financing District (TIF) – A TIF allows cities to create special districts and to make public improvements within those districts that will generate private-sector development. During the development period, the tax base is frozen at the predevelopment level. Property taxes continue to be paid, but taxes derived from increases in assessed values (the tax increment) resulting from new development either go into a special fund created to retire bonds issued to originate the development, or leverage future growth in the district.
- Transportation Reinvestment Zone
- Transportation User Fee / Street Maintenance Fee

### 5.3.3 Private Funding

Private funding may include local and national foundations, endowments, private development, and private individuals. While obtaining private funding to provide improvements along entire corridors might be difficult, it is important for the City to require private developers to improve pedestrian facilities to current ADA requirements, whether it by new development or redevelopment of an existing property.

## 5.4 Next Steps

The City will begin internal coordination to address the programmatic barriers identified in the Transition Plan.

The City will develop a budget to include the next 30 fiscal years. Projects identified in the ADA Transition Plan will be programmed within the 30-year budget based prioritization provided (see **Section 3.6 Prioritization**) and other factors determined by the City, such as how barrier removal can be incorporated into existing City projects identified for capital improvements.

## Appendix

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### Appendix A: Public Outreach

- Public Survey Results

- ADA Advisory Committee Meeting Notes

### Appendix B: Departmental Survey and Interview Finding Summaries

### Appendix C: Grievance Procedure

- Section 508 Grievance Form

- Title I Grievance Form

- Title II Grievance Form

- Section 508 Grievance Procedure

- Title I Grievance Procedure

- Title II Grievance Procedure

- ADA Policies, Procedures, and Guidance - Developed

### Appendix D: Programs, Services, and Activities Review

- Job Description Review

### Appendix E: Design Standard Review

### Appendix F: Facility Maps

- Buildings

- Parks

- Signalized Intersections

- Public Rights-of-Way Sidewalk Corridors

## Appendix G: Facility Reports

Buildings

Parks

Park Sidewalk

Signalized Intersections

Public Rights-of-Way Sidewalk Corridors

## Appendix H: ADA Action Log